Philippe LEBOULANGER Founding Partner



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BAR ADMISSIONS

- Paris (France)
- Athens (Greece)

PROFESSIONAL EXPERIENCE

Philippe Leboulanger is the Founding Partner of the law firm.

An acknowledged expert in international arbitration, Philippe has been one of the leading practitioners in the field since 1975. He has handled hundreds of international and domestic (commercial and investment) arbitration cases with a variety of applicable laws (civil and common law legal systems) and parties from all over the world. His extensive experience covers various business sectors, notably, hotel management, energy, oil & gas, construction and turnkey projects, State contracts, sales, commodities, distributorship, agency, franchising, licensing, corporate, joint ventures, mergers and acquisitions, technology, telecommunications, intellectual property, transport, pharmaceuticals, aeronautics, banking and finance.

Philippe has been consistently acting as Presiding Arbitrator, Sole Arbitrator, co-arbitrator, Counsel and legal expert in arbitration cases conducted under the auspices of all major arbitration institutions (notably ICC, LCIA, ICSID, PCA, CRCICA, DIAC, CCJA/OHADA, SCC, Franco-Arab Chamber of Commerce, AFA, Swiss Chambers' Arbitration Institution, Lebanese Arbitration Center, Refined Sugar Association) as well as in *ad hoc* arbitration cases (under the UNCITRAL Rules or otherwise).

He also represents clients in post-arbitration proceedings (setting aside of awards, enforcement proceedings, etc.) before the French courts.

Philippe has argued ground-breaking cases resulting in landmark decisions in the field of arbitration and he is highly regarded for his strategic thinking, business pragmatism, efficient approach, negotiations and advocacy skills.

In addition, he is a frequent lecturer and visiting Professor on international arbitration in numerous universities and law schools worldwide. Philippe also holds key positions within various international arbitration institutions.

EDUCATION

- Paris II Panthéon-Assas University, Ph.D. in Law (*Thèse de doctorat*), summa cum laude (1982)
- Paris II Panthéon-Assas University, LL.M. (*DEA*) in Criminal Law (1977)
- Paris II Panthéon-Assas University, LL.M. (*DES*) in Private Law (1970)
- Paris II Panthéon-Assas University, LL.M. (*Diplôme*) in Comparative Law (1970)

SELECTED PROFESSIONAL ENGAGEMENTS

- Cairo Regional Centre for International Commercial Arbitration (CRCICA), Vice-President of the Advisory Board; Member of the Board of Trustees
- Dubai International Arbitration Centre (DIAC), Member of the Board of Trustees
- ICC Commission on Arbitration, Member
- French Arbitration Commission (*Comité français de l'arbitrage*), Chairman (2010-2012)
- IBA Section on Energy, Environment, Natural Resources and Infrastructure Law, Member
- IBA Section on Business Law, Member
- Centre René-Jean Dupuy for Law and Development (Alexandria, Egypt), Member of the Scientific Board
- Paris II Panthéon-Assas University (France), Lecturer
- University of Bucharest (Romania), Visiting Professor (2000)
- Cairo University (Egypt), Visiting Professor (1992-1996)
- Birzeit University (West Bank), Visiting Professor (1996)

SELECTED PUBLICATIONS

- "La diligence de l'investisseur", in *Un demi-siècle africain d'arbitrage d'investissement CIRDI, Regards rétrospectifs et prospectifs*, LGDJ, Paris, 2019, pp. 253-286
- "Remarques sur les pouvoirs inhérents de l'arbitre", in *Droit sans frontières, Mélanges en l'honneur d'Eric Loquin*, LexisNexis, Paris, 2018, pp. 179-190
- "Arbitrage international et déni de justice", in Où va l'arbitrage international? De la crise au renouveau, Journées d'études méditerranéennes en l'honneur du Professeur Ali Bencheneb, LexisNexis, Istanbul, 2016, pp. 109-126
- "Time limits and arbitral awards (A French approach)", in *Liber Amicorum en l'honneur de William Laurence Craig*, LexisNexis, Paris, 2016, pp. 185-192
- "The arbitrator and the market" ("L'arbitre et le marché"), in Festschrift Ahmed Sadek El-Kosheri, From the Arab World to the Globalization of International Law and Arbitration, Kluwer, The Netherlands, 2015, pp. 61-71
- "Waiver of sovereign immunity from execution: disorder or pragmatism?" ("La renonciation à l'immunité d'exécution : désordre ou pragmatisme?"), in Mélanges en l'honneur du Professeur Pierre Mayer, LGDJ, Paris, 2015, pp. 455-463
- "Introductory remarks regarding specific features of international commercial arbitration" ("Propos introductifs relatifs aux problématiques spéficiques à l'arbitrage commercial international"), in Procédures Parallèles et décisions contradictoires, Bruylant, Brussels, 2015, pp. 67-72
- "Stay of the enforcement of an international award and risk of substantial damage" ("Arrêt de

- *l'exécution d'une sentence arbitrale internationale et risque de lésion grave*"), note on the order issued by the Pre-Trial Judge of the Paris Court of Appeal on 3 April 2014, 2015 Revue de l'arbitrage, pp. 110-117
- "OHADA Arbitration (OHADA)" (co-author), in *Word Arbitration Reporter: International Encyclopaedia of Arbitration Law and Practice*, 2nd Edition, L. Mistelis & L. Shore (ed.), Juris Publishing, 2014
- "Arbitration under the Common Court of Justice and Arbitration of the OHADA Contracting States" (co-author), in *Arbitration in Africa: A Practitioner's Guide*, Lise Bosman (ed.), Kluwer, The Netherlands, 2013, pp. 317-332
- "Tradition and Arbitration" ("Tradition et Arbitrage"), in Direito Teoria e Experiência, Estudos em Homenagem a Eros Roberto Grau, vol. II, Malheiros Editores, São Paulo, pp. 874-880
- "The principle of validity of the arbitration agreement without referring to any law" ("Le principe de validité la clause compromissoire sans référence à une loi"), in L'arbitrage détaché des lois étatiques, L'épitoge / Lextenso, Le Mans, 2012, pp. 21-26
- "Realism and Pragmatism when assessing time-limits in arbitration" ("Réalisme et pragmatisme dans l'appréciation du délai de l'arbitrage"), note on the judgement issued by the Paris Court of Appeal (1st Ch. C) on 6 November 2008, 2009 Revue de l'arbitrage, pp. 376-388
- "The Arbitration Agreement: Still Autonomous?", in *International Arbitration 2006: Back to Basics?*, Albert Jan van den Berg (ed.), ICCA Congress Series, Vol. 13, Kluwer, The Netherlands, pp. 3-31
- "International Arbitration and Ethics" ("L'arbitrage international et l'éthique"), in L'Ethique dans les Relations Economiques Internationales, Pedone, Paris, 2006, pp. 207-216
- "Collegiality and Arbitral Deliberation" ("Principe de collégialité et délibéré arbitral"), in Mélanges François Knoepfler, Helbing & Lichtenhahn, Bâle, 2005, pp. 259-267
- "Arbitration on the basis of the Bilateral Investment Treaties" ("L'Arbitrage dans le cadre des Traités Bilatéraux d'Investissement"), 2005 Revue tunisienne de l'arbitrage, pp. 77-88
- "The concept of international trade's "interests"" ("La notion d'« intérêts » du commerce international"), 2005 Revue de l'arbitrage, pp. 487-506
- "Some Issues in ICC Awards Relating to State Contracts", 2004 ICC Bulletin vol. 15, No. $2 2^{nd}$ semester, pp. 93-101
- * "Egyptian Arbitration Case Law" (co-author) ("*Chronique de jurisprudence étrangère : Egypte*"), 2004 Revue de l'arbitrage, pp. 41-79
- "Immunities and Arbitration" ("*Immunités et arbitrage*"), in *Droit international des immunités : contestation ou consolidation?*, Joe Verhoeven (ed.), Larcier, Brussels, 2004, pp. 253-264
- "Recent Developments in the field of arbitration within OHADA Contracting States" ("Développements récents de l'arbitrage dans l'espace OHADA"), note on the judgements issued by the Abidjan Court of Appeal on 20 April 2001 and by the Common Court of Justice and Arbitration on 10 January 2002, 2002 Revue de l'arbitrage, pp. 473-492
- "Arbitration Clause and Waiver of State Immunity from Execution: an expected evolution" ("Clause compromissoire et renonciation à l'immunité d'exécution de l'Etat: une évolution attendue"), 2001 Revue de l'arbitrage, pp. 114-134
- "Arbitration and the disputes related to the financial markets transactions" ("L'arbitrage des litiges relatifs aux opérations sur les marchés financiers"), in Mélanges Philippe Kahn, Litec,

- Dijon, 2000, pp. 545-558
- General Presentation of the OHADA Arbitration Acts ("Présentation générale des actes sur l'arbitrage"), in OHADA and Perspectives of Arbitration in Africa, Bruylant, Brussels, 2000, pp. 63-88
- "Arbitration and Harmonization of Business Law in Africa" ("L'arbitrage et l'harmonisation du droit des affaires en Afrique"), 1999 Revue de l'arbitrage, pp. 541-592
- "Review of the applicable law by the Egyptian Courts in annulment proceedings" ("Le contrôle du droit applicable par le juge égyptien de l'annulation"), 1998 Revue de l'arbitrage, pp. 723-732
- "Securities' implementation in the course of international insolvency proceedings under French Law" ("La mise en œuvre des sûretés dans le cadre d'une faillite internationale en droit positif français"), 1998 Revue Internationale de Droit Comparé, pp. 401-420
- "The Admistrative Contracts' Arbitrability under Egyptian Law" ("L'arbitrabilité des contrats administratifs en droit égyptien"), note on the judgment issued by the Cairo Court of Appeal on 19 March 1997, 1997 Revue de l'arbitrage, pp. 283-296
- "Multi-Contract Arbitration", 1996 Journal of International Arbitration, pp. 43-97
- "Cooperation between Counsel for companies in International Complex Transactions and the dialogue with the Head [of the company]" ("La coopération entre différents conseils d'une entreprise dans une opération complexe internationale et le dialogue avec le chef de file"), 1995 Revue Internationale de Droit Comparé, pp. 465-471
- "The New Egyptian Arbitration Law" (co-author) ("Le nouveau droit égyptien de l'arbitrage"), 1994 Revue de l'arbitrage, pp. 665-682
- Note on the judgement issued by the Nantes Commercial Court on 11 July 1991, 1993 Journal du Droit International, pp. 330-353
- "A More Explicit Codification for International Arbitration?" ("Une codification plus explicite pour l'arbitrage international?"), 1992 Revue de l'arbitrage, pp. 357-370
- Note on the judgment issued by the Paris Court of Appeal on 10 July 1992, 1992 Revue de l'arbitrage, pp. 609-624
- "North-South International Arbitration" ("L'arbitrage international Nord-Sud"), in Mélanges Pierre Bellet, Litec, Paris, 1991, pp. 323-340
- "Groups of State(s) and Arbitration" ("Groupes d'Etat(s) et Arbitrage"), 1989 Revue de l'arbitrage, pp. 415-443
- Note on the judgement issued by the French Supreme Court on 6 January 1987, 1987 Revue de l'arbitrage, pp. 469-478
- "State, politics and arbitration. The Pyramids case" ("Etat, politique et arbitrage. L'affaire du Plateau des Pyramides"), note on the judgment issued by the Paris Court of Appeal on 12 July 1984, 1986 Revue de l'arbitrage, pp. 3-28
- Contracts between States and foreign companies ("Les Contrats entre Etats et Entreprises Etrangères"), Economica, Paris, 1985
- "The Arbitrator *vis-à-vis* corruption and influence peddling" (co-author) ("*L'arbitre face à la corruption et aux trafics d'influence*"), 1984 Revue de l'arbitrage, pp. 3-18
- The legal regime of oil investments in Egypt" ("Le régime juridique des investissements pétroliers en Egypte"), 1972 Revue Égyptienne de Droit International, vol. 28, pp. 112-134

SPEAKING ENGAGEMENTS

- "Arbitration as a dispute resolution method in cases of privatization of public companies", ICC YAF Conference on International Arbitration and Privatization of Public Companies in Greece, Athens (Greece), December 2018
- "The New York Convention and International Arbitration Practice: Flexibility and Evolution", CRCICA/UNCITRAL Conference on The Role of State Courts in International Arbitration, Sharm el Sheikh (Egypt), December 2018
- "Settlement of Investment Disputes", Beijing Foreign Studies University School of Law Conference on E.U./China Investment Relations Legal Issues, Beijing (China) November 2018
- "Civil Law Tradition, Chariaa Principles and Recent Common Law Influences on Arab Arbitrations, as a Melting Pot for a Multiplicity of Legal and Cultural Backgrounds: the Arbitrators' Perspective", ICC Beirut Conference on International Arbitration, Beirut (Lebanon), September 2018
- "Duty to Protect Foreign Investment in Armed Conflicts and International Arbitration", National and Kapodistrian University of Athens Colloquium on International Investment Law & the Law of Armed Conflict, Athens (Greece), October 2017
- "Enforcement of Intellectual Property in the PRC: Options and Solutions (Intellectual Property)", Beijing International Arbitration Center/ASA 2017 Zurich Summit on Commercial Dispute Resolution in China, Zurich (Switzerland) June 2017
- "Oral Advocacy at the Main Hearing", 5th ICC MENA Conference, Institute advanced level training programme, Dubai, April 2017
- "Arbitrator's Duty to Disclose in Light of the Recent Developments of French Case Law", CRCICA/UNCITRAL Conference on The Role of State Courts in International Arbitration, Sharm el Sheikh (Egypt), November 2016
- "State Contracts and International Arbitration", 3rd ICC Conference on Dispute Resolution in North Africa, Tunis (Tunisia), May 2015
- "Hot Issues in International Arbitration in the Arab World", IFCAI and BCDR-AAA Conference, Manama (Bahrain), March 2015
- "Annual National Spotlight on International Commercial and Investment Arbitration: Egypt" 3rd
 Annual MENA Conference, Dubai (UAE), April 2015
- "The Litmus Test: Challenges to Awards and Enforcement of Awards in Africa", 3rd joint UNCITRAL/LCIA/PCA/ICC/ICSID and ICCA Biennial Mauritius Arbitration Conference, Port-Louis (Mauritius), December 2014
- "The evolution of the Euro-Mediterranean Relations in the Field of International Investment Arbitration", International UNCITRAL and OECD Conference for the Euro-Mediterannean Community of International Arbitration, Marseille (France), December 2014
- "The Role of State Courts in International Commercial Arbitration", CRCICA Conference, Sharm El Sheikh (Egypt), November 2014
- "Arbitrating with the States", 3rd Annual conference of the Atlanta International Arbitration Society, Atlanta (USA), November 2014
- "PIDA Training on International Commercial Arbitration", Dubai (UAE), October 2014

- "Arbitrators' Independence and Trustworthiness: the Beauty Parades", Conference of the Moroccan Court of Arbitration and the Institute for the Promotion of Arbitration and Mediation in the Mediterranean Region, Casablanca (Morocco) October 2014
- "The Enforcement of Arbitral Awards in Arab countries", Commission ouverte du Barreau de Paris, Paris (France), June 2014
- *State Contracts and International Arbitration in the MENA Region", 1st ICC Annual Conference on International Arbitration in the Middle East and North Africa, Dubai (UAE), April 2013
- "French Law Incentives after the 13 January 2011 New Arbitration Law", ICC France Commission, Paris (France), November 2012
- "Salient Features of French Courts' Role under the New French Arbitration Law in 2011", CRCICA Conference, Sharm El Sheikh (Egypt), November 2012
- "PIDA Training on International Commercial Arbitration", ICC, Paris (France), September 2012
- "The extension of the arbitration agreement", Colloquium of the French Arbitration Commission and the Argentinian Association of Comparative Law, Buenos Aires (Argentina), March 2011
- "Judicial Intervention and the Role of Local Courts", LCIA African Users' Council and the Ghana Arbitration Centre Conference, Accra (Ghana), November 2010
- "Third Parties in International Arbitration", IFCAI / CCAT Conference, Tunis (Tunisia), May 2009
- "Arbitration, Sovereignty and Compensation", International Dispute Resolution Group, American University of Cairo, Cairo (Egypt), March 2009
- "Res Judicata in International Arbitration", CRCICA Conference, Cairo (Egypt), March 2009
- "Arbitration and Immunity from Execution", Conference on International Commercial Arbitration, Ministry of Justice, Algiers (Algeria), December 2008
- "Immunity from Execution in International Law", Colloquium of the Association for the Promotion of Arbitration in Africa, Yaoundé (Cameroon), January 2008
- "Extension of the Arbitration Clause to Non signatories in International Arbitration", Symposium CCAT / ICC, Tunis (Tunisia), May 2007
- "Investment Arbitration in Africa", CCAT / UNCTAD / WTO / UNCITRAL Symposium, Tunis (Tunisia), May 2007
- "Seminar on Arbitration", Centre d'Arbitrage, de Médiation et de Conciliation Conference, Dakar (Senegal), April 2007
- "Is the Arbitration Agreement Still Autonomous?", Report at the 18th ICCA Congress, Montreal (Canada), June 2006
- "Seminar on Arbitration", Madagascar Arbitration and Mediation Centre Conference, Antananarivo (Madagascar), June 2005
- "Arbitration under Bilateral Investment Treaties", Euro-Maghreb Conference, Tunis (Tunisia), May 2004
- "The Extension of the Arbitration Clause Within a Group of Companies", University of Rio de Janeiro, Rio de Janeiro (Brazil), April 2004
- "An Assessment of the OHADA Arbitration System", Colloquium on International Commercial Arbitration and African States, King's College and British Institute of International and

- Comparative Law, London (UK), June 2003
- "Opening Speech", Conference on States and International Economic Disputes, ICC France Commission, Paris (France), January 2003
- "Arbitration under the OHADA System", International Bar Association Conference, Durban (South Africa), October 2002
- "Cairo as a Place of Arbitration", CRCICA Conference, Cairo (Egypt), September 2002
- "Harmonization of Arbitration Law", Institute of Political Sciences, University of Lyon, Lyon (France), December 2001
- "Overview of International Commercial Arbitration", Addis Ababa Chamber of Commerce Conference, Addis Ababa (Ethiopia), November 2001
- "Arbitration and OHADA", French Centre of Foreign Commerce, Paris (France), October 2001
- "Equality of the Parties and Enforcement of Arbitral Awards", Istanbul Bar, Istanbul (Turkey), September 2001
- "Philosophy of International Commercial Arbitration", Rabat Bar, Rabat (Morocco), July 2001
- "International Commercial Arbitration and the OHADA", Canadian Ministry of Justice, Libreville (Gabon), October 2000
- "International Arbitration", International Development Law Institute, Rome (Italy), October 2000
- "OHADA Arbitration", Ministry of Justice, Malabo (Equatorial Guinea), July 2000
- "Arbitrability", Seminar on International Commercial Arbitration, Galatasaray University, Istanbul (Turkey), April 2000
- "Arbitrability of Securities Transactions Disputes", Gulf Co-operation Council Commercial Arbitration Centre, Muscat (Oman), January 2000
- "Arbitration in Africa", Senghor University, Yaoundé (Cameroon), December 1999
- "Alternative Dispute Resolution", EFE, Paris (France), May 1998
- "Seminar on International Commercial Arbitration", Court of Arbitration of Ivory Coast Conference, Abidjan (Ivory Coast), December 1997
- "Multi-Contract Arbitration in International Construction Projects", International Bar Association, New Delhi (India), November 1997
- "Arbitrability of Administrative Contracts, A Comparative study", Arab International Arbitration Conference, Beirut (Lebanon), August 1997
- "Seminar on International Commercial Arbitration", International organisation of la Francophonie, Cairo (Egypt), December 1996)
- "Draft OHADA Rules of Arbitration", International Bar Conference, Ouagadougou (Burkina Faso), December 1996
- "International Contracts", 1CC Institute of International Business Law and Practice, Paris (France), September 1995, October 1996 and October 1997
- "Alternative Dispute Resolution", Symposium on Investments and International Agreements, Bir Zeit University, West Bank, June 1996
- "The Reception of French Civil Law in Egypt", French Supreme Court Conference, Paris (France), June 1996

- "Immunities from Jurisdiction and Execution", Faculty of Law, Tunis (Tunisia), April 1996
- "The Judge's Role in the Arbitral Process", National Centre for Judicial Studies Conference, Cairo (Egypt), February 1996
- "The Rules Applicable to the Merits of a Dispute", Symposium on Today's Arbitration in Lebanon, Law Faculty of Saint Joseph, Beirut (Lebanon), March 1995
- "Cooperation between Lawyers in Complex International Transactions and Comparative Law", Symposium of the French Centre of Comparative Law, Paris (France), November 1994
- "The new Egyptian Law of Arbitration", Franco-Arab Chamber of Commerce, Paris (France), September 1994
- "Closing remarks", Seminar on the Harmonization of Business Law in Africa, International Bar Association Conference, Abidjan (Ivory Coast), April 1994
- "The Effects of the Arbitration Clause", Seminar on International Arbitration organised by the Paris and Senegal Bar Associations, Dakar (Senegal), February 1994
- "The Treaty on Harmonization of Business Law in Africa (OHADA)", International Bar Association Conference, Cotonou (Benin), December 1993
- "Seminars on International Arbitration", Egyptian Supreme Court and State Council, Cairo (Egypt), October 1993
- "Drafting Arbitration Clauses", Franco-Egyptian Meetings on International Arbitration, Paris Bar, Institute of International Business Law, Cairo, (Egypt) October 1993
- "The Arbitration Agreement", Symposium organised by the Meknès and the Paris Bar Association, Meknès-Ifrane (Morocco), October 1993
- "Suspension and Breach of Contract", Symposium on the Civil Law Contractual Systems and International Trade Requirements, Cairo (Egypt), January 1993
- "North-South International Arbitration: Realities and Perspectives", Egyptian Society of International Law, Cairo (Egypt), December 1991
- "Settlement of Disputes in International Construction Contracts", International Development Law Institute, Rome (Italy), February 1991
- "Rules of Ethics in International Arbitration", Second Euro-Arab Congress of Arbitration, Manama (Bahrein), October 1987
- "Agency, Distribution and Exclusivity Agreements under French Law", French Embassy, Cairo (Egypt), February 1986
- "Arbitration in Industrial Contracts and in Large Infrastructure Projects", Symposium on Arbitration in Euro-Arab Commercial Relations, Port El-Kantaoui (Tunisia), September 1985
- "Arbitration in International Construction Contracts", International Development Law Institute, Rome (Italy), June 1985
- "Legal and Financial Aspects of Exportations and Investments in Egypt", Seminar of the Paris Bar and the French Center of Foreign Commerce, Cairo (Egypt), March 1985
- "Corporate Manager's Liabilities", French Centre of International Trade; Paris (France), June 1983 and March 1984
- "Investment Contracts Between States and State Owned Companies and Foreign Companies",
 French Centre of International Trade, Paris (France), February 1983 and March 1984

- "How to Master the Legal and Financial Aspects of Exportations and their Implementation Abroad. The Role of French International Lawyers", Seminar of the Paris Bar and the French Center of Foreign Commerce, Paris (France), April 1983
- "Arbitration between Countries at Different Levels of Development", French Centre of International Trade, Paris (France), February 1983
- "Business Relations and Investments in Egypt", French Centre of International Trade, Paris (France), February 1983
- "Arbitration and Investment Contracts between States and Foreign Companies", French Centre of International Trade, Paris (France), October 1982
- "Specific Rules of Foreign Investment Laws in Egypt", Symposium on the Role of Foreign Banks in Egypt, Cairo (Egypt), February 1979
- "Structure and Responsibility among Multinational Companies", Symposium on Multinational Corporations and Developing Countries, Cairo (Egypt), December 1977

LANGUAGES

- French (native speaker)
- English

MEMBERSHIPS

- ICC France
- ICC Institute of World Business Law
- French Arbitration Commission (*Comité français de l'arbitrage*)
- Swiss Arbitration Association (ASA)
- French Private International Law Commission (Comité français de droit international privé)
- International Law Association (ILA)
- International Bar Association (IBA)
- Egyptian Society of International Law
- Franco-British Law Society (Association des Juristes Franco-Britanniques)