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Email	utku.cosar@arbchambers.com
Nationality/ Date of Birth	Turkey 19 March 1973

Educational/Professional Memberships

LL.M., Master of Laws and LL.M., International Legal Studies, Georgetown University Law Center, Washington D.C., 1998, 1999

LL.B., 1998 Marmara University Faculty of Law, Istanbul, 1996

Member, LCIA Court

Member, Arbitration Court of the Swiss Arbitration Centre

Vice-Chair, IBA Arbitration Committee

Member, ICC Commission on Arbitration and ADR

Fellow, Chartered Institute of Arbitrators

Member, ICCA Publications Advisory Board

*Member, Editorial Board of *Dispute Resolution International*, the Journal of the Dispute Resolution Section of the International Bar Association*

Member, Editorial Board of the ICC Dispute Resolution Journal (2016 – 2021)

*Member, Drafting Committee of the ICCA *Drafting Sourcebook**

Member, Georgetown European Law Alumni Advisory Board

Member, New York State Bar Association, International Bar Association, LCIA European Users' Council, International Council for Commercial Arbitration and American Bar Association

Admitted, New York (2002), Istanbul (1998)

Current Position

Independent Arbitrator, Arbitration Chambers

Professional Experience

Member of Arbitration Chambers (January 2023 – present)

Partner, Coşar Avukatlık Burosu (2002 – 2022)

Associate, Hughes, Hubbard and Reed LLP, New York (2000 – 2001)

Arbitration Experience

Ms. Coşar has over 20 years' experience as arbitrator and counsel in numerous international commercial and investment arbitration cases under the ICC, Swiss, ICSID, LCIA and SIAC Rules.

Her experience as arbitrator includes:

- Sole Arbitrator in an LCIA arbitration involving an advertising and promotional contract between a UK company and Russian company governed by English law.
- Co-arbitrator in an ICC arbitration arising out of a sales contract dispute involving the technology sector governed by Turkish law.
- Sole arbitrator in a SIAC arbitration in relation to a sales contract dispute involving the food sector governed by Singapore law.
- Co-arbitrator in an LCIA arbitration in relation to a €6.5 million sales contract dispute involving the agriculture sector governed by English law.
- Sole arbitrator in an Istanbul Chamber of Commerce Arbitration Center (ITOTAM) arbitration between a Turkish company and an Austrian company involving a claim for damages arising out of a power generation facility.
- Sole arbitrator in an ITOTAM arbitration involving a design and manufacturing agreement governed by Turkish law.
- Sole arbitrator in a Swiss Chambers' Arbitration Institution (SCAI) arbitration involving a sales contract between a Swiss company and Algerian company governed by Swiss law.
- Co-arbitrator in an LCIA arbitration in the financial services sector between a Cypriot company and a Georgian bank governed by English law.
- Sole arbitrator in an ITOTAM arbitration involving a business development agreement for construction of an electricity generation facility.

The following are recent representative matters on which Ms. Coşar served as counsel:

- Representing a major multinational company in an ICC arbitration involving mineral exploitation rights.
- Acting for a French multinational specialty chemicals company in an ICC arbitration arising out of a joint venture dispute.
- Acting for a US multinational company in a joint venture dispute commenced under the Swiss Rules of International Arbitration.
- Representing the Republic of Turkey in a US\$10.1 billion investment treaty case involving electricity utilities brought by a Cypriot entity under the Energy Charter Treaty (Libananco Holdings Co. Limited v. Republic of Turkey, ICSID Case no: ARB/06/8).
- Advising the largest global producer of polyvinyl chloride stabilizers in an ICC arbitration involving a post-acquisition dispute.
- Representing a pension fund against a Dutch multinational banking and financial services company in an ICC arbitration involving a share purchase agreement.
- Representing the Republic of Turkey in two investment treaty claims under the ICSID Additional Facility Rules, with a combined claim value exceeding US\$9 billion, brought by Polish entities under the Energy Charter Treaty (Cementownia Nowa Huta S.A. v. Republic of Turkey, ICSID Case no: ARB(AF)/06/2, and Europe Cement Investment and Trade S.A. v. Republic of Turkey, ICSID Case no: ARB(AF)/07/2).

- Representing an oil major in a US\$125 million ICC construction arbitration against a German construction company involving a turnkey project for natural gas underground storage facilities.
- Acting for the Republic of Turkey in two European Court of Human Rights (ECHR) cases involving multiple claimants asserting billions of dollars in expropriation claims (Application no: 49445/07 and Application no: 18240/03).
- Acting for a natural gas company in an ICC arbitration against the national gas company of the Republic of Iran (NIGC) in a price adjustment dispute exceeding US\$1 billion.
- Representing the Republic of Turkey in a US\$560 million ICC arbitration against an international consortium in respect of the transfer of operating rights for three power plants.
- Advising the CEO in an ICDR arbitration involving the world's largest multinational logistics company.
- Acting for the Energy Ministry of the Republic of Turkey in an ICC arbitration involving concession contracts for a power plant and coal mines, and energy sales agreements.

Publications

- *Fraudulent Evidence: Investment Arbitration*, Max Planck Encyclopedia of International Procedural Law (EiPro), published by Oxford University Press (2020).
- International Chamber of Commerce (ICC) Turkey Arbitration Day, *The Judiciary Approach to Arbitration in Turkey: An Overview of the Recent Case Law* (forthcoming).
- *Recent developments in investment arbitration from the perspective of Turkish investors: Kılıç, Çap, and İçkale*, published by the International Law Institute and Bilgi University Law School (forthcoming).
- *Guideposts to Third-Party Funding in International Arbitration*, Turkey chapter, published by Juris Publishing (2019).
- International Chamber of Commerce (ICC) Turkey Arbitration Day, *Investment Treaty Protection: Construction Sector* (2018).
- *Freezing and Attaching Assets*, Turkey chapter, Jorgensen (ed), published by Kluwer Law International (2016).
- *Claims of Corruption in Investment Treaty Arbitration: Proof, Legal Consequences and Sanctions*, in Legitimacy: Myths, Realities, Challenges, ICCA Congress Series No. 18, van den Berg (ed), published by Kluwer Law International (2015).
- *Annex ID to the Energy Charter Treaty: Limitation on Consent to International Arbitration*, The Turkish Commercial Law Review, Vol. 1, No. 1 (2015).
- *Kılıç İnşaat v Turkmenistan: The Effect of the Local Litigation Requirement and the Scope of MFN Treatment*, Dispute Resolution International, Vol. 8, No. 2 (2014).
- *Privilege and Confidentiality: An International Handbook*, Turkey chapter, published by the International Bar Association (2006, 2012).

Languages

English and Turkish