



<u>Surname, First name</u>	Pé, Robert S.
Address	Lamb Building, 3rd Floor South Temple, London, EC4Y 7AS United Kingdom
Telephone	+44 (0) 7541 253899
Fax	+44 (0) 207 583 3388
Email	robert.pe@arbchambers.com
Nationality/ Date of Birth	British / 26 November 1968

Educational/Professional Memberships

Education:

- M.B.A., London Business School, 2002
- The Law Society's Professional Examination, 1991
- LL.B. (Hons.), London School of Economics and Political Science, 1990

Professional Memberships:

Mr. Pé has been appointed to the following panels:

- Abu Dhabi Global Market Arbitration Centre (ADGMAC)
- Asian International Arbitration Centre (AIAC)
- China-Africa Joint Arbitration Centre (CAJAC)
- China International Economic and Trade Arbitration Commission (CIETAC)
- Hong Kong International Arbitration Centre (HKIAC)
- International Center for Dispute Resolution of the American Arbitration Association (ICDR)
- Korean Commercial Arbitration Board (KCAB)
- Shanghai Arbitration Commission (SHAC)
- Shanghai International Arbitration Center (SHIAC)
- Shenzhen Court of International Arbitration (SCIA)
- Singapore International Arbitration Centre (SIAC)
- Thailand Arbitration Centre (THAC)

Professional Activities and Qualifications:

- Member of the ICC International Court of Arbitration and the ICC Arbitration Commission (2017 to present)
- Co-Chair of the ICC's Belt and Road Commission (2020 to 2022)
- Member of the Council of the Hong Kong International Arbitration Centre (2014 to 2020)
- Fellow of the Chartered Institute of Arbitrators
- Accredited mediator of the Centre for Effective Dispute Resolution (CEDR)

Current Position

Arbitrator, Arbitration Chambers

Professional Experience

Robert S. Pé is an independent arbitrator and mediator. He is a fellow of the Chartered Institute of Arbitrators and a member of the International Court of Arbitration of the International Chamber of Commerce. He served as Co-Chair of the ICC's Belt and Road Commission from 2020 to 2022. Prior to that, he served two full terms on the Council of the Hong Kong International Arbitration Centre (HKIAC) from 2014 to 2020. He is a member of numerous panels of arbitrators and has dealt with multiple commercial disputes, in which the governing laws of the underlying transactional documents have included Cayman, Delaware, English, Hong Kong, Indian, Myanmar, New York, PRC and Singapore law.

The Legal 500 Asia Pacific has ranked Mr. Pé as a Band 1 arbitrator and indicated that he "... impresses greatly with his efficiency, crisp analysis of issues and his ability to present an analysis in an easy to understand manner". The Chambers legal directory has repeatedly ranked him in its Most In-Demand

Arbitrators category, both across the Asia Pacific and in Hong Kong, and has described him as being “on top of the list of nominees for arbitrator for commercial, financial, investment and shareholder disputes”. Who’s Who Legal has recommended him in its Arbitration-England category and has indicated that he “... is a highly responsive, fair and intelligent arbitrator” and “An all-round excellent practitioner”.

Prior to becoming a full-time arbitrator in 2017, Mr Pé was in private practice as an equity partner of a leading international law firm and focused his practice on international arbitration. His clients included multinationals, private equity funds, sovereign states, Government bodies, state-owned enterprises and individual politicians and business-people. He won victories in cases worth multiple US\$ billions.

During Mr. Pé’s career in private practice, the Chambers legal directory repeatedly ranked him as a Band 1 leading individual and described him as “Knowledgeable and commercial,... particularly sought-after” and “highly recommended” (2008); with a “willingness to take on difficult work” and offering “skilled authoritative guidance” (2009); “a terrific and thorough operator who takes pains to find a creative solution to a dispute” (2010); “well prepared, creative and highly effective” (2011); “very balanced and very thoughtful in his analysis” (2012); “an outstanding international arbitration expert” (2013); “extremely competent, commercial and team-oriented” (2014); “a very skilful international arbitration lawyer [who] shows a good understanding of his clients’ cultural background, addressing their needs effectively” (2015); and “Always fully engaged and fully prepared, with huge integrity” (2016). Many other directories and publications have also ranked him as a leading individual and, in 2015, the Financial Times recognized him as one of the most innovative lawyers in Asia. He served as a Visiting Professor of the Global Masters Programme in Law at Kobe University.

Arbitration Experience

Appointments as Arbitrator

- Party-appointed arbitrator in relation to two consolidated arbitrations brought by a private equity investor against a Chinese mining company for allegedly failing to honour the terms of a convertible bond. The claim amount was US\$220 million (HKIAC Rules; Hong Kong seat; Cayman law).
- Party-appointed arbitrator in relation to a claim by a private equity fund for a share of dividends and other distributions allegedly paid out by a Chinese company in which the private equity fund was a shareholder (HKIAC Rules; Hong Kong seat; New York Law).
- Presiding arbitrator in relation to a claim by a European fashion company against a Chinese company for alleged breaches of a distribution agreement. The Respondent challenged the jurisdiction of the Tribunal (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Presiding arbitrator in relation to a US\$18 million claim by a private equity investor against the founder of an education business in China for breach of a shareholders’ agreement (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Party-appointed arbitrator in relation to two consolidated arbitrations between a Chinese real estate group on the one hand and a BVI company and an individual guarantor on the other hand relating to whether or not a US\$35 million loan in respect of a luxury hotel business remained outstanding or had been converted into equity (HKIAC Rules; Hong Kong seat but hearings physically held in London by consent; Hong Kong law).
- Party-appointed arbitrator in relation to a claim by a Chinese buyer against a Singapore seller for alleged failure to provide an authentic Certificate of Origin pursuant to a contract for the sale and export of oil products (SIAC Rules; Singapore seat; Singapore law).
- Party-appointed arbitrator in relation to a HK\$170 million claim brought by a Chinese state-owned asset management company against a Hong Kong-listed company and an individual guarantor, relating to their alleged failure to honour a put option in respect of some shares in another Hong Kong-listed company (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Presiding arbitrator in relation to a high value claim by a US company against a Chinese technology company, relating to an alleged failure to deliver and alleged misappropriation of a platform for the distribution of electronic books in China (HKIAC Rules; Hong Kong seat; Delaware law).
- Party-appointed arbitrator in relation to a claim brought by two Chinese distributors of medical devices against a Swiss manufacturer of dental implants for alleged breach of an asset purchase agreement, including claims for a final earn-out, storage costs and penalties for late payments (ICC Rules; Hong Kong seat; PRC law).
- Presiding arbitrator in relation to a claim by a Hong Kong buyer against a Singapore seller for alleged breaches of a sale and purchase agreement in respect of coal (HKIAC Rules; Hong Kong seat;

English law).

- Sole arbitrator in relation to a claim by a Korean buyer against a Singaporean seller for alleged breaches of various sale and purchase agreements in respect of coal (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Party-appointed arbitrator in relation to three consolidated claims by German manufacturers and distributors of ophthalmic products against a PRC company and individual for alleged breaches of a sale and purchase agreement, a master distribution agreement and an intellectual property rights license agreement (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Presiding arbitrator in relation to claims between the alleged minority shareholders and majority shareholders of an online travel agency business (ICDR Rules; San Francisco seat; Delaware law).
- Party-appointed arbitrator in relation to claims for alleged breach of contract between an investor and an investee, whose subsidiary was an electric vehicle company. The total amount in dispute exceeded US\$ 1 billion (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Party-appointed arbitrator in relation to a claim for alleged breach of a shareholders' agreement for failing to buy-back shares in a Cayman company, which allegedly controlled an educational business in China (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Presiding arbitrator in relation to claims for alleged breach of a joint venture agreement relating to development of educational centres in China (ICC Rules; Hong Kong seat; Hong Kong law).
- Party-appointed arbitrator in relation to consolidated claims for payment of the balances allegedly outstanding of the purchase prices for machinery manufactured and supplied for use at ports in India (SIAC Rules; Singapore seat; Indian law).
- Presiding arbitrator in relation to claims for payment of the outstanding principal and interest allegedly due under a series of convertible bonds (ICC Rules; Hong Kong seat; New York law).
- Presiding arbitrator in relation to a claim for payment of allegedly guaranteed indebtedness (UNCITRAL Rules, Hong Kong seat; Hong Kong law).
- Party-appointed arbitrator in relation to a claim arising from alleged breaches of a product purchase agreement (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Replacement presiding arbitrator appointed by the HKIAC Council in relation to consolidated arbitrations arising from a joint venture dispute (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Co-arbitrator selected by the LCIA Court in relation to an arbitration arising from non-payment of fees allegedly due under a service agreement (LCIA Rules; Hong Kong seat; English law).
- Sole arbitrator in relation to a claim under a sale and purchase agreement for payment of the price for the entire issued share capital of a company (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Co-arbitrator in relation to a claim under a sale and purchase agreement for payment of balances allegedly outstanding in respect of medical equipment supplied (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Co-arbitrator in relation to a claim under a sub-contract for reinforced concrete work for damages for delay and defects and for payment of an overpaid sum (ICC Rules; Singapore seat; Myanmar law).
- Co-arbitrator in relation to claims for alleged breaches of a joint venture agreement relating to a mine for extraction of limestone for use in the production of cement (ICC Rules; Singapore seat; Myanmar law).
- Sole arbitrator selected by the HKIAC in relation to a claim for payments allegedly due under a marketing and off-take agreement in respect of product from a poly-metallic mine in Mongolia (UNCITRAL Rules; Hong Kong seat; English law).
- Presiding arbitrator in relation to an indemnity claim under a sale and purchase agreement of shares in two pharmaceutical companies incorporated in the Russian Federation (HKIAC Rules; Hong Kong seat; English law).
- Presiding arbitrator in relation to claims under a hotel management agreement (SIAC Rules; Singapore seat; Indian law).
- Co-arbitrator in relation to claims arising from an alleged attempt to terminate an exclusive agreement for commercialization of certain pharmaceutical products in China (ICC Rules; Hong Kong seat; Hong Kong law).
- Sole arbitrator selected by the LCIA Court in relation to a claim under a sale and purchase agreement for cement and clinker (LCIA Rules, London seat; English law).
- Co-arbitrator in relation to a claim under a share purchase agreement arising from an alleged failure to purchase put option shares (HKIAC Rules; Hong Kong seat; Hong Kong law).
- Presiding arbitrator in relation to a claim under a share purchase and investor's rights agreement arising from alleged material misrepresentations (HKIAC Rules; Hong Kong seat; Hong Kong law).

- Co-arbitrator in relation to a claim under a sale and purchase agreement for coal (HKIAC Rules, Hong Kong seat, Hong Kong law)
- Co-arbitrator in relation to a claim under a contract for the supply of a trackers system for a photovoltaic project (ICC Rules, London seat, English law)
- Co-arbitrator in relation to a claim under a limited partnership deed for, among other things, access to the partnership's books and records (LCIA Rules, London seat, Cayman law)
- President in relation to a claim under a trading and loan agreement relating to various virtual currency and digital assets (crypto-currencies) (ICC Rules, Hong Kong seat, Hong Kong law)
- President in relation to a claim under a joint venture agreement between a games creator and developer and its PRC distributor (ICC Rules, Hong Kong seat, Hong Kong law)
- Sole Arbitrator in relation to a claim under a prepaid card contract (SIAC Rules, Singapore seat, Singapore law)

Publications

Research:

- "Myanmar Commercial Law Framework: reform priorities," Asian Development Bank White Paper, co-author and team leader, December 2018

Publications:

- "The BRI and International Chamber of Commerce Arbitration," CDR – Essential Intelligence, co-author, September 2021
- "“If in doubt, disclose?”: arbitrator conflicts, challenges and repercussions," Indian Journal of Arbitration Law, August 2020
- "Country update: Myanmar," Asian Dispute Review, April 2019
- "Investment Arbitration: China, Hong Kong and Treaty Shopping," Asian Dispute Review, contributor, April 2012
- "Sovereign Immunity in Hong Kong: The Absolute Doctrine Versus the Restrictive Doctrine," Dispute Resolution International, author, May 2010
- "Chinese Arbitration: A Selection of Pitfalls," Association for International Arbitration textbook, contributor, March 2009
- "International Commercial Dispute Resolution," Tottel publishing, co-author of chapter on Hong Kong, 2009

Languages

- English
- Intermediate French