



Melanie Willems

Partner

Melanie Willems, a Partner in Howrey's London office, specialises in international arbitration, and is head of the International Arbitration practice group in London.

Melanie has extensive experience in complex arbitrations under the major international rules (ICC, LCIA, UNCITRAL, ICSID and standard form contract rules), as well as ad hoc proceedings. She also undertakes UK-based litigation (claims before the Commercial Court and the Technology and Construction Court) and is experienced in all forms of alternative dispute resolution (mediation, expert determination and adjudication).

Melanie's practice is particularly focused on contractual disputes involving contentious projects, energy and engineering matters. International projects that she has advised on include foreign investment, power plants, desalination plants, petrochemical plants, oil rigs, pipelines, roads/highways, hospitals, transport and government projects such as the dredging of the Suez Canal. Melanie also has particular experience in dealing with projects in the Middle East, Asia, India and Africa. Domestically, her work includes the resolution of issues arising from large-scale developments. She has clients in a wide range of industry sectors, including engineering, energy, construction, rail, infrastructure/transport, property development, technology and insurance.

Melanie is a qualified mediator and a Solicitor-Advocate. She has appeared as lead advocate in the Technology and Construction Court and acts as advocate in arbitrations.

Melanie has been ranked in *Chambers* as a leading practitioner in construction law. The *Legal500 2007* comments that Howrey's international arbitration unit, led by Melanie, "gets some fantastic work," and that her team "will make a real impact in future."

REPRESENTATIVE MATTERS

- *ICC Arbitration Concerning a Petrochemical Plant.* Represents a major Japanese contractor in an ICC arbitration arising out of the construction of a petrochemicals plant in Northern England. The case involves claims for the cost of additional works, delay claims (including prolongation) and disruption claims. The amount in issue has

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EDUCATION

Kings College, London (MSc,
1993)

Kings College, London (LLB,
1989), *Honors*

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exceeded £20 million.

- *Arbitration Against Kuwaiti Government Body.* Represented a large European contractor in a Paris-based UNCITRAL arbitration concerning a project in Algiers. The work included defending challenges to arbitrators and an appeal to the International Court at The Hague.
- *Mediation Concerning the Then World's Largest Power Plant.* Advised a Japanese contractor on a multiparty mediation arising out of claims on a Saudi Arabian power project. The matter was successfully settled.
- *Long-Term Contract for Rail Infrastructure Works.* Advised the world's largest rail manufacturer in connection with a long-term contract for upgrade and improvement works on rail infrastructure and facilities in a major European capital. Interim claims have been valued at £40 million.
- *Expert Determination Concerning Rights to Hydrocarbons.* Conducted an expert determination on the consideration adjustment necessary in a purchase of North Sea interests.
- *Construction Project in Egypt.* Represents an English/Lebanese joint venture on an ICC arbitration relating to the construction of an Egyptian "new town."
- *Design Claim Concerning Single-Point Mooring Buoy.* Conducts a large-scale mediation on liability for faults in a new-design single-point mooring buoy.
- *PFI Dispute.* Advises on contentious issues in PFI contracts, as regards the mechanism for measuring performance and the impact of remuneration due to the contractor.
- *Adjudications Concerning Construction of Highways.* Serves on several large-scale adjudications, including disputes in relation to the M6 motorway.
- *Health and Safety Issues at Substantial African Hotel.* Represents an international hotel chain in an ICC arbitration concerning health and safety issues and the duties of the property owner under the hotel management agreement.

COURTS & ADJUDICATIVE BODIES

- Supreme Court of England & Wales
- TECSA (Technology and Construction Court Solicitors Association)
- Sports Dispute Resolution Panel (Arbitration and Mediation)

PROFESSIONAL AFFILIATIONS

- Fellow, Chartered Institute of Arbitrators

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- Committee Member, Society of Construction Arbitrators
- Member, Arbitral Women (ICC Network)

PRO BONO

- LawWorks Mediation Service.

PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

"Touching the Void (Agreement): An Introduction to the Arbitration of Issues in Competition Law." *International Arbitration Newsletter* (December 2007).

"The Foreign Dimension." *International Arbitration Newsletter* (September 2007).

"Codes, Standards and Regulations - Boring, Right?" *International Arbitration Newsletter* (June 2007).

"When We Speak of Litigation Risk, Do We Mean Decision-Makers?" *International Arbitration Newsletter* (December 2006).

"Hotting Up? - Litigating Climate Change." *International Arbitration Newsletter* (September 2006).

LANGUAGES

- French
- German
- Italian
- Spanish