

PARTNER

Kristen M. Young

Washington D.C.

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PROFILE

Kristen's practice focuses on international investment treaty and commercial arbitration.

Kristen has successfully handled billions of dollars in claims arising under numerous bilateral investment treaties, free trade agreements, and the Energy Charter Treaty for both respondent states and claimant investors. She advises clients on the full spectrum of international arbitration matters, including annulment and international enforcement proceedings.

Kristen has an established track record of taking on and winning complex, ground-breaking international arbitration matters, including some of the most significant investor-state victories over the past decade. She has deep experience working with clients across the mining, energy, and construction sectors. One of the significant victories she has obtained for her clients include for Ukraine in *Global Trading Resource Corp. and Globex International, Inc. v. Ukraine*, the first-ever summary dismissal of an ICSID case under ICSID Rule 41(5). The case was nominated for Arbitration Win of the Year by *Global Arbitration Review*.

Kristen has been recognized as a Future Leader in *Who's Who Legal: Arbitration*, as one of the 2020 Emerging Women Leaders in Private Practice by DCA Live, and as a Key Lawyer in International Arbitration by *Legal 500*. Clients have praised Kristen for her "full command of the facts in the case and legal theories – she has them all at her fingertips." WWL commentary has noted, "Kristen Young is acclaimed for her 'ability to simplify complex facts into a compelling narrative,' as well as her 'excellent knowledge of the law' and 'strong analytical skills.'"

Prior to joining BSF, Kristen was a partner at a leading international law firm. She also spent time practicing in Paris and speaks fluent French. Kristen has taught arbitration courses all over the world, including at the Georgetown University Law



PRACTICES ×

International Arbitration

Asset Recovery and Judgment Enforcement

EDUCATION ×

Georgetown University Law Center, J.D.

Institut d'Études Politiques de Paris/Université Paris I (Panthéon-Sorbonne), DESS, Global Economic Law

London School of Economics and Political Science, MSc, International Relations

Wellesley College, B.A.

ADMISSIONS ×

Bars

District of Columbia

New York

U.S. District Court: District of Columbia

U.S. Court of Appeals: D.C. Circuit

U.S. Court of Appeals: Second Circuit

AWARDS AND ASSOCIATIONS ×

Future Leader, *Who's Who Legal*, Arbitration (2022)

Legal 500, International Arbitration Key Lawyer (2022)

Future Leader, *Who's Who Legal*, Arbitration (2021)

Center, the University of Chicago Law School, the University of Richmond School of Law, and the Tashkent State University of Law.

EXPERIENCE

Kristen's recent experience includes representing:

- JSC Mechanical Plant and others in an ICSID(AF) arbitration of a dispute arising under the Uzbekistan-Kyrgyzstan bilateral investment treaty and the Kyrgyz Foreign Investment Law in which the tribunal held the Kyrgyz Republic liable for breach of its Treaty obligations
- TECO Guatemala Holdings, LLC in an ICSID arbitration of a dispute arising under the DR-CAFTA relating to its investment in an electricity distribution company in which the tribunal held Guatemala liable for breach of its Treaty obligations and successfully representing TECO in ICSID annulment and resubmission proceedings
- Webuild in an ICSID arbitration of a dispute arising under the Italy-Panama bilateral investment treaty concerning the Panama Canal expansion project
- The respondents in a confidential ICC arbitration construction dispute, in which all claims were dismissed on a preliminary basis
- The Republic of Uzbekistan in an ICSID arbitration of a dispute arising under the Turkey-Uzbekistan bilateral investment treaty relating to an investment in the textile industry
- The Republic of Uzbekistan in an ICSID arbitration of a dispute arising under the Netherlands-Uzbekistan bilateral investment treaty relating to an investment in the textile industry in which the claims of the investor were dismissed in their entirety
- The Republic of Uzbekistan in an UNCITRAL arbitration of a dispute arising under the U.K.-Uzbekistan bilateral investment treaty relating to two mining projects in which the tribunal dismissed more than 99 percent of the \$1.33 billion in damages claimed by the investor
- The Republic of Uzbekistan in an ICSID arbitration of a dispute arising under the Israel-Uzbekistan bilateral investment treaty relating to a joint venture engaged in mineral processing in which the claims of the investor were dismissed in their entirety
- Ukraine in an ICSID arbitration of a dispute arising under the U.S.-Ukraine bilateral investment treaty relating to the cross-border sale of goods in which the claims of the investors were dismissed in their entirety under ICSID Arbitration Rule 41(5)
- ICL Europe Coöperatief U.A. in a PCA arbitration of a dispute arising under the Netherlands-Ethiopia bilateral investment treaty relating to its investment in a potash mine

DCA Live: Emerging Women Leaders in Law, Private Practice (2020)

Future Leader, *Who's Who Legal*, Arbitration (2018)

Future Leader, *Who's Who Legal*, Arbitration (2017)

- Orascom TMT Investments S.à r.l. in an ICSID arbitration of a dispute arising under the Belgium/Luxembourg-Algeria bilateral investment treaty relating to its investment in the telecommunications industry
- The Republic of the Philippines in an ICSID arbitration of a dispute arising under the Belgium/Luxembourg-Philippines bilateral investment treaty relating to dredging projects
- Georgia in an ICSID arbitration of a dispute arising under the Georgia-Turkey bilateral investment treaty relating to the construction of a highway and a 49-year concession to operate a hotel and casino
- The Hashemite Kingdom of Jordan in an ICSID arbitration of a dispute arising under the U.S.-Jordan bilateral investment treaty relating to an oil concession contract in which the claims of the investor were released in their entirety in a favorable consent award
- Romania in an ICSID arbitration of a dispute arising under the U.K.-Romania bilateral investment treaty concerning duty-free services at Romanian airports in which the claims of the investor were dismissed in their entirety and Romania obtained a sizable cost award

PUBLICATIONS & PRESENTATIONS

Publications:

Co-author, The Impact of COVID on International Arbitration Procedure, *Brill Publishers*

Co-author, Compelling and Staying Arbitration in Washington, D.C., *Practical Law Arbitration*

Co-author, From World Duty Free to Metal-Tech: A Review of International Investment Treaty Arbitration Cases Involving Allegations of Corruption, Fraud, and Illegality, *ICSID Review*, Volume 29(2)

Co-author, A Review of International Investment Treaty Cases Involving Allegations of Corruption and Fraud and Parties from Central and Eastern Europe," *Croatian Arbitration Yearbook*

Co-author, The Scope of the Legality Requirement in Relation to Investments: Recent Case Law, *Mealey's International Arbitration Report*, 4, Vol. 26 (April 2011)

Co-author, Confidentiality in Relation to States, *ICC International Court of Arbitration Bulletin* (2009 Special Supplement)

Speaking Engagements:

The Future of International Arbitration, Georgetown Arbitration Month, Georgetown University Law Center

Funding of International Arbitration Proceedings, Enforcement of Awards, and Purchase of Awards in a More Technologically Advanced World, Washington Arbitration Week (November 2023)

International Arbitration Cases Against State-Owned Enterprises, Georgetown University Law Center, Georgetown International Arbitration Society, (October 2023)

The Use of Artificial Intelligence in International Arbitration, Arbitration in 2 Worlds (October 2023)

Innovative Strategies for Effective Oral Advocacy in Arbitration, California Arbitration Week, (March 2023)

Third-Party Funding and Transparency under the 2022 ICSID Amendments, Georgetown University Law Center, Georgetown Arbitration Month (February 2023)

What Happens When Investments Are Tainted by Corruption: The Strategy Behind the Metal-Tech Case, Harvard International Arbitration Law Students Association (January 2023)

Is it time for Investor State Mediation?, The Chartered Institute of Arbitrators (October 2022)

Investor-State Mediation: Here at Last?, International Law Section of the American Bar Association (September 2022)

Boosting CAMCA's Private Sector Through Investments: How to Seize Opportunities, CAMCA Regional Forum (June 2022)

Investment Arbitration in Israel: Challenges and Opportunities, Tel Aviv Young Arbitral Forum (March 2022)

Risks and Entrepreneurship in Developing Countries, Tashkent International Investment Forum (March 2022)

The Impact of COVID on International Arbitration Procedure, Université de Lausanne (October 2021)

Back to the Future, Georgetown University Law Center, Georgetown Arbitration Month (February 2020)

International Arbitration in the Era of Tougher Financial Crime Enforcement, GAR Live Hong Kong (October 2019)

The Perennial Problem of Legitimate Expectations, Prague 9th Investment Treaty Arbitration Conference (October 2019)

I've Received an Arbitral Award: What's Next?, Young ICCA, Skills Training Workshop (October 2019)

Ethics in Investment Arbitration, Kyiv Arbitration Days (September 2019)

What Does it Mean to be Pro Arbitration?, Columbia Law School, Columbia Arbitration Day (March 2019)

Transparency in Arbitration, Georgetown University Law Center, Georgetown Arbitration Month (February 2019)

Energy Disputes, Georgetown University Law Center, Georgetown Arbitration Month (February 2019)

International Arbitration in the United States, #YoungITATalks (September 2018)

Careers in International Arbitration, Georgetown University Law
Center (October 2016)

French Law & Language in International Arbitration, Georgetown
University Law Center (March 2016)

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