



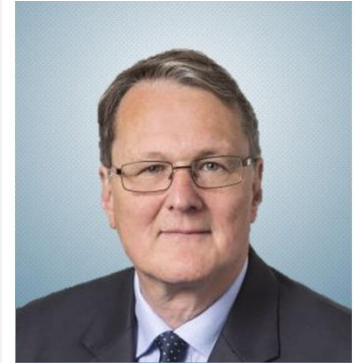


ARBITRATOR'S CURRICULUM VITAE

WILLIAM, Godwin KC (Mr.)

	Barrister and King's Counsel Arbitration/ Member of the panel of arbitrators (CIETAC, SIAC, etc)
	England
	williamgodwin@3harecourt.com
	Languages: English, German



Practice Areas

Arbitration, Shipbuilding, Engineering, Technology and Construction, Commercial, Sale Contracts, Shipping, International Projects

Overview

William Godwin KC is a barrister and King's Counsel with over thirty years of experience in a wide range of commercial, construction, and technology disputes. He has very substantial experience in international arbitration both institutional (LCIA, ICC, DIAC) and ad hoc technical and commercial arbitrations. He serves as an arbitrator and is a member of the panel of arbitrators of the China International Economic and Trade Arbitration Commission, Shanghai International Arbitration Center, and other institutions. He is an accredited adjudicator and arbitrator of the English Technology and Construction Bar Association. William has long experience in disputes involving Asia and Asian parties.

William was a legal member of the FIDIC Updates Task Group that draft the 2017 (second) editions of the three main international construction forms, the FIDIC Red, Yellow, and Silver Books. He is a visiting law lecturer at the City, University of London, and previously taught a class on arbitration in China at the School of Oriental and African Studies, London University.

Chambers UK directory has described him as 'an outstanding advocate' and UK Legal 500 as 'very bright and experienced, providing detailed analysis of issues', 'an expert on FIDIC contracts and related arbitration', with 'very strong analytical skills and attention to detail' and 'good credentials in the arbitration communities of China and Asia'.

Arbitration Experience

Engineering, Technology and Construction/International Projects/Shipbuilding

Specialist with over 30 years' experience in construction, technology and engineering disputes over a

wide range of projects, including infrastructure, EPC/turnkey/design-build projects, off-shore structures, dredging works, shipbuilding and civil engineering works. Cases include acting for French joint venture contractors in arbitration concerning an EPC contract for a container terminal project in North Africa; acting for the same client in nuclear containment works project in Ukraine; acting for Italian contractors/receivers in claims against the North African port authority for terminal works; acting in claims by major state-owned Chinese group arising from port expansion project in Ghana; and defending Chinese shipyard and finance house in claims for late delivery in respect of multiple chemical tanker new build contracts.

Commercial

Acts and advices in a wide range of commercial cases. These include acting in substantial and complex English High Court (Commercial Court) proceedings by a major German group arising from acquisition debt push down in 15 jurisdictions following private equity buy-out and restructuring involving conflicts of laws, German corporate law and law of succession, Mexican tax law and valuation of shares in group subsidiary; advising in highly complex proceedings in the English High Court concerning off shore trust structures, share sale and loan agreements; acting in an LCIA arbitration for an Italian receiver in a jurisdiction challenge involving the European Insolvency Regulation, Italian and English law. Other work includes appearing in Hong Kong International Arbitration Centre hearing for a large Chinese pharmaceutical company in claims arising from a share sale agreement.

Sale Contracts

Sale contracts generally, including commodities. Cases include acting for two Bosnian corporations in successfully setting aside a multimillion-dollar Commercial Court judgment in a claim by Sinochem under an on-sale of Iranian crude oil; and for Indian buyers of breeding poultry from US sellers under a sales right agreement in challenge proceedings to an ICC award raising issues of US state and federal law, New York Convention issues and coordination of US and London proceedings. Instructed by Chinese metal traders in LCIA arbitration concerning supply of alumina in breach of UN/US sanctions.

Shipping

Substantial shipping experience. Cases include acting for Chinese charterers in Hong Kong ad hoc arbitration arising from voyage charters for commodities shipments from Australia to China; Chinese charterers in substantial LMAA arbitration defending claims by Korean disponent owners for damages for breach of contract of affreightment and acting for Chinese charterers facing various claims arising out of five C/Ps in LMAA arbitration.

Arbitration

Very substantial experience of institutional (LCIA, ICC, DIAC) and ad hoc technical and commercial arbitrations and related applications, challenges and appeals. Cases include a number of important arbitration law decisions, most notably : LG Caltex Gas Co and Contigroup Companies v China National Petroleum Corporation and China Petroleum Technology Development Corporation [2001] BLR 235 (effect of s 67 Arbitration Act 1996); North Range Shipping Ltd v Seatrans Shipping Corp (The Western Triumph) [2002] 2 Lloyd's Rep 1 (CA applying Human Rights Act 1998 to leave to appeal

applications under s 69 Arbitration Act 1996); *Peterson Farms Inc v C&M Farming Ltd* [2004] 1 Lloyd's Rep 614 (first reported decision on power under s 70(7) Arbitration Act 1996 to secure award pending appeal or challenge)

Education

1975 - 1978	BA (First class), University College London
1978 – 1981	Major State Studentship
1978 – 1980	B.Phil, Oriel College, Oxford University
1980 – 1984	D.Phil (Ph.D), Oriel College, Oxford University

Benefactors' Senior Law Scholar, Middle Temple

Professional Experience

2017	Appointed Queen's (now King's) Counsel
1986	Called to the Bar

Membership of professional organization

- Legal member, the Updates Task Group (appointed by the International Federation of Consulting Engineers (FIDIC))
- Member, the China International Economic and Trade Arbitration Commission (CIETAC)
- Member, Shanghai International Arbitration Center (SIAC) and other institutions
- Panel adjudicator and arbitrator, the English Technology and Construction Bar Association.

Publications

04/2021	Protecting Construction Projects from China Sanctions Risk <i>Law 360</i> (with Anton Ware)
01/2021	International Construction Contract Strategies During the Pandemic <i>Law 360</i>
2020	The 2017 FIDIC Contracts: the second editions of the Red, Yellow and Silver Books (Wiley Blackwell)
2013	International Construction Contracts: a Handbook (Wiley Blackwell)
2008	Construction Contracts: a Handbook for Chinese Parties (China Architecture and Building Press Beijing)
10/2007	'Challenging Awards in China-sited Arbitrations' <i>International Arbitration Law Review</i>
10/2002	'Arbitration and Reasons: the North Range Decision' <i>International Arbitration</i>

	<i>Law Review, Vol 5 Issue 4</i>
08/2002	'A Puzzle About Powers: the Arbitration Act 1996, s. 67' <i>Lloyds Maritime & Commercial Law Quarterly</i> Part 3
03/2002	'Ad Hoc Agreements and the Arbitration Act 1996: the LG Caltex Case' <i>International Arbitration Law Review</i> Vol 5 Issue 1
2002	'Challenging Arbitrators' Jurisdiction' <i>Disputes</i>
1998	'Arbitration or Litigation? Multi-party Disputes and Arbitration Clauses' in <i>Construction Law: Themes and Practice</i> (Sweet & Maxwell)
01/1990	'Transferable Letters of Credit: the effect of Lariza' <i>Journal of Business Law</i>
Lectures	
<ul style="list-style-type: none"> ▪ A class on arbitration in China at the School of Oriental. ▪ African Studies, London University. 	