



# International Arbitration

## 2023



PROFILED:

**PETER ROSHER**

Reed Smith



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## International Arbitration



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#### PERSONAL BIOGRAPHY

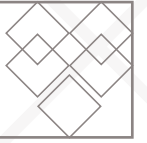
**Peter Rosher** is a dual-qualified (English/French) lawyer with 30 years' experience in international arbitration. He is on the board of the Association Française d'Arbitrage and is a delegate of the French Committee to the ICC Commission. Described by Chambers Europe - France as "quick, able to grasp the most complex issues and formidable in cross-examination", Mr Rosher sits as arbitrator, acts as project counsel and lectures at Université Panthéon Assas (Paris II) and Sciences Po. He is ranked in Who's Who Legal, Euromoney's Expert Guide and Best Lawyers.

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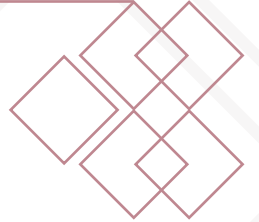
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## Q&amp;A WITH PETER ROSHER

**Are you active in any programmes or initiatives within your organisation?  
To what extent have you found this work rewarding and fulfilling?**

◆ I am actively involved in several organisations that aim to promote and unite the arbitration community in Paris and more widely. As one of five founding members of Paris Arbitration Week (PAW), I was involved in its organisation and promotion since its inception six years ago. Our hope was that this annual gathering would become a flagship event, not only in the Parisian arbitration calendar, but beyond. Five successful editions later, we are delighted to have created a platform that brings together practitioners from around the world for academic debate, networking, learning and professional exchange, and has cemented Paris as a key location for arbitral developments. All five founding members have now handed over the reins to elected new members of the organising committee, bringing new blood and fresh ideas to PAW.

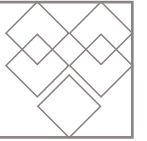
**What strengths and characteristics do you, your team and your firm strive to demonstrate to clients?**

◆ We are a full-service law firm able to provide services across geographies, industries and specialisms. My team combines our construction, energy and infrastructure sector expertise with our arbitration skillset. Our wide sector knowledge and understanding of the issues that can arise means our lawyers know how the arbitration process can best be shaped to minimise risk and deliver the best outcome for clients. My team has strong experience of working with clients across the world to innovate and adapt arbitral procedures to meet their needs on a project-by-project basis. We are thought leaders in the construction industry, performing key roles within various industry associations and organisations, contributing to leading

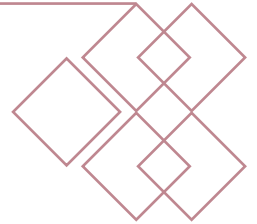


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publications, and chairing and presenting at global conferences, lectures and masterclasses. Our all-round bench strength and depth ensures we bring our clients cutting edge, innovative and bespoke solutions.



**Reflecting on your area of expertise, how do you see this sphere of the market shaping up over the coming months? Are any exciting trends or developments on the horizon?**

◆ Some three years since the coronavirus (COVID-19) pandemic hit, we are seeing an increasing number of disputes being held in abeyance now materialising as arbitrations in the construction industry. This is compounded by rising inflation which has hit the industry hard with an increase of as much as 115 percent in the prices of standard materials. Employers are increasingly faced with the risk of the project not being completed on time or at all, having to pay more to save the contractor from winding up, or even having to appoint a replacement contractor to complete the works at a much higher cost. Disputes will almost inevitably ensue in due course. In terms of international arbitration, the topic of third-party funding will remain a live one, especially in the EU as there are no harmonised member state rules. The European Commission is currently considering whether to submit to the European parliament a draft Directive to regulate third-party funding for arbitration proceedings seated in the EU to address what it identifies as a “regulatory vacuum”. ■

**“SOME THREE YEARS SINCE THE CORONAVIRUS (COVID-19) PANDEMIC HIT, WE ARE SEEING AN INCREASING NUMBER OF DISPUTES BEING HELD IN ABEYANCE NOW MATERIALISING AS ARBITRATIONS IN THE CONSTRUCTION INDUSTRY.”**

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**REPRESENTATIVE ENGAGEMENTS**

- ◆ Acting for state-owned French contractors in ICC arbitration proceedings concerning the design and project management of a nuclear power plant in France.
- ◆ Acting as counsel for an employer in a \$130m engineering dispute concerning the construction of a processing plant in Italy and in UNCITRAL arbitration proceedings in Geneva.
- ◆ Acting for a state-owned company defending approximately \$1bn of claims for wrongful termination of contract.
- ◆ Acting as counsel for a consortium of European contractors against FIDIC, a state-owned hydroelectric power entity.
- ◆ Advising a German construction company in an ICC arbitration relating to claims arising under a construction consortium contract against French counterparties for a sophisticated technology system. Award obtained successfully for German client. Resisting a challenge to the award brought before the French courts.
- ◆ Representing a French construction company in an ICC arbitration commenced by an African public entity for alleged defects to port works.

