

Ben Giaretta
Partner



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Qualifications	MA, Trinity College, Oxford University Postgraduate Diploma in International Commercial Arbitration (School of International Arbitration, Queen Mary College, University of London) Solicitor, England & Wales Solicitor-Advocate, All Higher Courts of England & Wales
Professional	Ben Giaretta is Ashurst's Head of International Arbitration in Asia. He joined Ashurst in London in 1999 and relocated to Singapore in 2009. He appears as Counsel in international arbitration and often sits as arbitrator. He is recommended for international arbitration in various directories, including <i>Legal 500</i> , <i>Chambers Global</i> , <i>Benchmark Litigation</i> and <i>The Guide to the World's Leading Commercial Arbitration Experts</i> .
Appointments/ Memberships	Fellow, Chartered Institute of Arbitrators Fellow, Singapore Institute of Arbitrators Panel of Arbitrators, Singapore International Arbitration Centre Panel of Arbitrators, Kuala Lumpur Regional Centre for Arbitration Panel of Arbitrators, Singapore Institute of Arbitrators Member, LCIA Member of Association of International Petroleum Negotiators Member, Society of Construction Law Associate Member, Singapore Academy of Law Director, Singapore Branch of Chartered Institute of Arbitrators. Tutor and Examiner for Fellowship courses (including award-writing) of the Chartered Institute of Arbitrators.
Expertise	Ben specializes in the resolution of disputes in the energy, construction, engineering and infrastructure sectors. Projects on which he has worked have involved oil and gas exploration, mining, offshore platforms, pipelines, shipping, LNG marketing, power stations and petrochemical facilities. Clients include major corporations from many different countries, including from Europe, the Americas and the Asia-Pacific region.
Publications/seminars	Ben is one of the co-authors of the books, "Tactics in M&A Arbitration" (2008) and "Dispute Resolution in the Energy Sector" (2012). He has also written numerous articles about international arbitration, such as "Duties of Arbitrators and Emergency Arbitrators under the SIAC Rules" (AIAJ Vol. 8, 2012). He has spoken at conferences about international arbitration in India, Japan, South Korea, Singapore and Indonesia. He has previously been a visiting lecturer in arbitration at the School of Oriental and African Studies, University of London.

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Recent matters	Some of the international arbitration matters in which Ben has acted as Counsel include advising: <ul data-bbox="411 443 1433 2058" style="list-style-type: none">• North-West Shelf ALNG on various disputes arising from the sale of LNG cargoes to buyers.• Gladstone LNG on disputes arising from the construction of a major LNG plant in Queensland, Australia.• A major Korean contractor in an arbitration concerning the construction of LNG facilities in Iran (ICC arbitration).• An Australian company in an ICC arbitration concerning the construction of a gas pipeline in Vietnam (ICC Rules, seat of arbitration in Kuala Lumpur).• Daewoo in relation to construction disputes arising from the Shwe Gas Project in Myanmar.• A Malaysian company in dispute concerning the construction of oilfield facilities (value over US\$ 250 million).• A Brunei company concerning the construction of offshore oil & gas facilities (UNCITRAL Rules in Singapore).• A Korean contractor concerning the termination of a barge hire subcontract.• A Japanese trading corporation concerning payments under an oilfield joint venture agreement (ICC arbitration, seat of arbitration in London).• A joint venture company in an ICC arbitration concerning the construction of processing facilities in Brunei.• An English oil company in a dispute with a provider of seismic data in Africa (ICC arbitration).• An English oil company in a dispute concerning a licence area in Chile (ICC Rules).• An English oil company concerning investment in a gasfield in southern Africa.• Siemens A.G. in a multi-million Euro arbitration concerning the construction of a gas-fired power station in India (ICC Rules, seat of arbitration in New Delhi, with related court litigation in India).• One of the largest chemicals companies in the world in a US\$ 60 million arbitration concerning a project in India (UNCITRAL arbitration in Singapore, with related court litigation in India).• A Middle Eastern company in an arbitration about the termination of a petrochemicals joint venture with an American company (ICC arbitration, value over US\$ 5 billion).• A Japanese contractor in an arbitration brought against it concerning the construction of a petrochemical facility in Saudi Arabia (ICC Rules, seat of arbitration in Tokyo).• A Japanese trading corporation concerning the shipping of petrochemicals from India (<i>ad hoc</i> arbitration under the English Arbitration Act).• An Australian mining company in an ICSID arbitration about payment of mining royalties.• A UK mining company in a US\$ 2 billion claim in Indonesia (ICC arbitration in Jakarta, with related litigation in Indonesia).• An Indonesian mining company concerning the sale of coal in China (SIAC arbitration).• An Australian mining company in a US\$ 3 billion dispute with joint venture parties concerning a mine in Indonesia (SIAC arbitration in Singapore).• A Japanese trading house in a dispute concerning the delivery of iron ore to a Chinese buyer (SIAC arbitration in Singapore).• A UK financial services company in multi-jurisdictional litigation relating to the removal of confidential information by former employees.• A telecommunications company concerning the construction of a factory in India (ICC arbitration, English governing law).• A satellite operator on the recovery of substantial insurance monies (over US\$ 250 million, ICC Rules, seat of arbitration in Paris).• A Middle Eastern satellite operator in an LCIA arbitration brought against it arising out
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of a joint venture agreement (over US\$ 370 million, seat of arbitration in London).

- **A Middle Eastern satellite operator** in an arbitration concerning transponder lease fees (ICC arbitration, seat of arbitration in England, governed by the UNIDROIT Principles).
- **Shareholders in a media company in the Middle East** in a dispute concerning the payment of agent's fees arising from a sale and purchase agreement (LCIA arbitration, seat of arbitration in London).
- **A Hong Kong-based fund** in an SIAC arbitration in Singapore with an Indian forestry company (with related court litigation in India).
- **A hotel owner** in a dispute concerning the termination of a hotel operator agreement in the Maldives (*ad hoc* arbitration in the Maldives).
- **Liquidators of a Japanese hotel company** in a post-completion adjustment dispute (SIAC arbitration).
- **A drinks manufacturer** on a dispute with another drinks manufacturer concerning the purchase of a factory in Brazil, an ICC arbitration (seat of arbitration in London).

International arbitration matters that Ben has acted as arbitrator in include:

- **ICC arbitration between a Singapore company and an American company** concerning an oilfield licence (party-appointed arbitrator, seat of arbitration in London).
 - **SIAC arbitration between an Indian company and a Singapore company** concerning the sale of palm oil (sole arbitrator, seat of arbitration in Singapore).
 - **Ad hoc arbitration between a Hong Kong company and a Singapore company** concerning the sale of stainless steel (seat in Singapore, sole arbitrator).
 - **ICC arbitration between a South African company and a Vietnamese company** concerning the sale of steel (Singapore, sole arbitrator).
 - **Ad hoc arbitration between a Singaporean company and a PRC company** concerning the sale of mung beans (Singapore, sole arbitrator).
 - **SIAC arbitration between a Netherlands company and a Hong Kong company** concerning a supply agreement (Emergency Arbitrator, Singapore).
 - **SIAC arbitration between a Japanese group of companies and a Mauritius company** concerning a sale and purchase agreement (Chair of Tribunal, Singapore).
 - **ICC arbitration between a Hong Kong company and a Vietnamese company** concerning a sale and purchase agreement (sole arbitrator, Singapore).
 - **SIAC arbitration between a Singapore company and a Brunei party** concerning the purchase of a UK company - application for a freezing injunction (Emergency Arbitrator, Singapore).
 - **Ad hoc arbitration between a Thai company and a Singapore company** concerning the sale of grain (sole arbitrator, Singapore).
 - **ICC arbitration between a Korean company and a Cambodian company** concerning a services agreement (sole arbitrator, seat of arbitration in Singapore).
 - **Ad hoc arbitration between a Singapore company and a Chinese company** concerning the sale of iron ore (sole arbitrator, Singapore).
 - **SIAC arbitration between a Chinese company and a Singapore company** concerning the sale of chrome ore (sole arbitrator, seat of arbitration in Singapore).
 - **ICC arbitration between a Mauritius company and an Indian group of companies** concerning a shareholders agreement (party-appointed arbitrator, seat of arbitration in Singapore).
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