

# CURRICULUM VITAE

NICOLAS ANGELET

## I. General information

ANGELET, Nicolas Georges

Born in Ghent, Belgium, 1 April 1964  
Belgian nationality

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## II. Education

LL.D., Katholieke Universiteit Leuven, 1997

Research at the *Max Planck Institute for Foreign Public Law and International Law*, Heidelberg, Germany (6 months, 1995-1996)

LL.M. in European Law, Université Libre de Bruxelles, 1989

LL.M. in International Law, Université Libre de Bruxelles, 1988

Lic. Jur., University of Ghent, 1986

## III. Professional activities : Legal Practice

Avocat at the Brussels Bar. Until 31 December 2018, partner and head of the public international law practice with *Liedekerke Wolters Waelbroeck Kirkpatrick*, Brussels.

Associate Tenant, *Doughty Street Chambers*, United Kingdom.

Member of the panel of ICSID conciliators (appointed by Belgium) and arbitrators (appointed by Burundi).

Consultancy and litigation in public international law and international business law, notably international investment law, international trade law, public procurement law of international organizations, the law of international organizations, human rights, international humanitarian law, international environmental law, immunities, the law of treaties, the law of state responsibility, the application of international law in the domestic legal order.

Litigation in Belgian courts, ICSID arbitration and annulment proceedings, UNCITRAL and ICC arbitral proceedings, arbitration under the aegis of the Permanent Court of Arbitration, International Court of Justice, ICC, European Court of Human Rights, subsidiary organs of the UN Security Council.

Cases include the following:

Member of the ICSID *ad hoc* Committee in *Víctor Pey Casado and President Allende Foundation v. Chile* (ICSID Case No. ARB/98/2), second annulment proceedings.

Counsel to the Kingdom of Spain on immunity issues arising before the Belgian courts.

Counsel to the Republic of Kazakhstan in the enforcement proceedings re *Anatolie Stati a.o. v. Kazakhstan*, SCC Case No. V 116/2010.

Counsel to the Democratic Republic of the Congo before the International Court of Justice in the *Case concerning armed activities on the territory of the Congo, Congo v. Uganda, second phase (reparation)* (until 2017).

Counsel to the Minister-President of the Walloon Region of Belgium in negotiations towards the signature of the Comprehensive Economic and Trade Agreement (CETA).

Counsel to the Democratic Republic of the Congo in annulment proceedings before the Paris Court of Appeal – UN Convention against corruption.

Counsel to Yukos Universal Ltd. in Belgian recognition and enforcement proceedings in *Yukos Universal Ltd. v. Russian Federation*.

Counsel to Mr. Viorel Micula in Belgian enforcement proceedings of the ICSID arbitration award in *Micula v. Romania* (European Commission intervening).

Counsel to an investor in an UNCITRAL investment arbitration case against a European country.

Counsel to the Republic of Burundi in ICSID Case No. ARB/14/31, *Tareq Bashir & Interpétrol v. Republic of Burundi*.

Counsel to the Kingdom of Belgium in ICSID Case No. ARB/12/29, *Ping An Life Insurance Company, Limited and Ping An Insurance (Group) Company, Limited v. Belgium*.

Counsel to the Republic of Burundi in ICSID Case No. ARB/13/7, *Mr. Joseph Houben v. Republic of Burundi*.

Counsel to the Council of the Western European Union and its former Member States regarding the closure of the organisation and succession to its residual rights and duties.

Counsel to the Kingdom of Belgium in *Mukeshimana a.o. v. Belgian State* before the Belgian courts (tort liability regarding the Rwanda genocide).

Counsel to the Belgian State in *Touax and Touax Rom v. Belgium*. Proceedings in the Belgian courts on a claim for damages for Belgium's participation in the NATO air strikes in the Kosovo.

Counsel to the Kingdom of the Netherlands regarding the delimitation of a Belgian off-shore windmill park in the North Sea.

Counsel to the central bank of a G7 member state regarding its immunities from execution.

Lead counsel to La Générale des Carrières et des Mines (Gécamines) in *FG Hemisphere Associates v. DRC and Gécamines* before the courts of Jersey and the Privy Council.

Counsel to Total SA (then TotalFinaElf) in *Aung Maw Zin v. Total and Thierry Desmarest* before the Belgian Supreme Court (Cour de cassation) and Constitutional Court regarding universal jurisdiction regarding alleged complicity with international crimes in Myanmar.

Counsel to the Republic of Burundi in ICSID Case No. ARB/01/2, *Mr. Antoine Goetz and others and S.A. Affinage des Métaux v. Republic of Burundi*.

Expert Witness on questions relating to the Energy Charter Treaty in *Kyrgyz Republic v. Petrobart*, arbitration under the aegis of the Arbitration Institute of the Stockholm Chamber of Commerce.

Counsel to the Democratic Republic of Congo in the annulment proceedings re *Patrick Mitchell v. Democratic Republic of Congo*, ICSID Case No. ARB/99/7.

Counsel to the Kingdom of Belgium in the *Arbitration regarding the Iron Rhine (“IJzeren Rijn”) Railway, Kingdom of Belgium v. Kingdom of The Netherlands*, under the aegis of the Permanent Court of Arbitration.

Counsel to the European Space Agency in various disputes relating to the Agency’s immunities and public procurement in matters of space technology.

Counsel to Mr. David Zollmann before the UN Sanctions Committee and the UN Panel of Experts regarding United Nations sanctions against UNITA.

Counsel to Générale des Carrières et des Mines in *Ridgepointe Overseas Developments Ltd. v. Democratic Republic of Congo and Générale des Carrières et des Mines*, ICSID Case No. ARB/00/8.

Counsel to Libya in the *Case concerning Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie, preliminary objections* (Libyan Arab Jamahiriya v. United States and Libyan Arab Jamahiriya v. United Kingdom, International Court of Justice).

#### **IV. Professional Activities: Academic**

Professor of public international law (part-time) at the Université Libre de Bruxelles.

Member of the *Centre de droit international*.

Former Vice-Dean of the Faculty of Law.

Formerly visiting professor at the Ca’ Foscari University of Venice, Université Aix-Marseille and the Institut d’études politiques (*Sciences Po*) of Lille, France.

## V. Publications

“La promotion des arbitres africains: pour une appropriation panafricaine du contentieux des investissements”, *Annuaire africain de droit international*, vol. XXIII, 2019 (forthcoming).

“Les immunités de droit international : entre l’exception au droit d’accès à un juge et l’interprétation conciliante”, *Revue critique de jurisprudence belge*, 2019/1, p. 5 ff.

Tom Ruys & Nicolas Angelet, eds., *The Cambridge Handbook on Immunities and International Law*, Cambridge University Press (to be published in 2019).

“Immunity and the Exercise of Jurisdiction – Indirect Impleading and Exequatur”, in: *The Cambridge Handbook on Immunities and International Law*, Tom Ruys & Nicolas Angelet, eds., Cambridge University Press (to be published in 2019).

“Immunity from Execution and Domestic Procedural Rules: Preventive Control, Burden of Proof, and Discovery”, in: *The Cambridge Handbook on Immunities and International Law*, Tom Ruys & Nicolas Angelet, eds., Cambridge University Press (to be published in 2019) (with Mathias Audit and Maria-Clara Van den Bossche).

“Immunity from Enforcement and the Commerciality Exception in International Law”, to be published in: E. Gaillard (ed.), *Enforcing Arbitral Awards Against States – Proceedings of the 2018 Conference of the International Arbitration Institute* (forthcoming).

“CETA and the debate on the reform of the investment regime”, in Makane Moïse Mbengue and Stefanie Schacherer (ed.), *Foreign Investment under the Comprehensive Economic and Trade Agreement (CETA)*, Springer, 2019, p. 1-17.

“L’avenir des Principes directeurs à l’intention des entreprises multinationales – l’accès effectif aux PCN, la visibilité et le devoir d’informer”, in: Nicola Bonnuci & Catherine Kessedjian, eds., *40 Ans des Lignes directrices de l’OCDE pour les entreprises multinationales / 40 Years of the OECD Guidelines for Multinational Enterprises*, Paris, Pedone, 2018, p. 197-206.

“Le juge belge face aux actes des organisations internationales”, in : A. Lagerwall (ed.), *Les juges belges face aux actes adoptés par les Etats étrangers et les organisations internationales – quel contrôle au regard du droit international ?*, Brussels, Larcier, 2017, 13-51.

“L’évolution de la fonction consulaire - Observations sur “La fin des consulats?” de R. Venneman (1965), *Revue belge de droit international* – numéro spécial : *50 voix pour fêter les 50 ans de la Revue*, 2016.

“Financing Investor-State Dispute Settlement: Is There a Role for the African Development Bank?”, in: *Andrea Mennaker (ed.), International Arbitration and the Rule of Law: Contribution and Conformity, ICCA Congress Series No. 19*, Wolters Kluwer, 2017, p. 546-555.

“La *lex specialis* et la liberté de l’interprète”, in Société française pour le droit international, *La mise en oeuvre de la lex specialis dans le droit international contemporain*, Paris, Pedone, 2017, 143-149.

“Alleviating the Disruptive Nature of Investment Arbitration : Some Remarks on Restitution and Post-Award ADR”, in Jean Kalicky and Anna Joubin-Bret, eds., *Reform of Investor-State Dispute Settlement: In Search of A Roadmap, TDM* (1) 2014.

“Foreign Investment”, in : *Oxford Bibliographies*, Oxford University Press, 2014 (with Mathilde Rousseau).

“Fair and Equitable Treatment”, in: R. Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law*, Oxford, Oxford University Press, 2012.

“Heads of Diplomatic Missions”, in : R. Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law*, Oxford, Oxford University Press, 2012.

“Consular Treaties”, in: R. Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law*, Oxford, Oxford University Press, 2012.

“Les immunités de droit international et la rupture de l'égalité devant les charges publiques”, in *Liber Amicorum Marc Bossuyt*, Intersentia, 2013, p. 557-576 (with Jean Salmon).

“Le pouvoir judiciaire face aux dispositions législatives incorporant des règles de la coutume internationale”, *Revue belge de droit international*, 2012/2, pp. 105-115.

“La nationalité des personnes morales en droit international public”, in Société française pour le droit international, *Droit international et nationalité – colloque de Poitiers*, Paris, Pedone, 2012.

“Article 8”, in : *The Vienna Conventions on the Law of Treaties – A Commentary*, O. Corten and P. Klein eds., Oxford University Press, 2011 (with Tamara Leidgens)

“Article 63”, *The Vienna Conventions on the Law of Treaties – A Commentary*, O. Corten and P. Klein eds., Oxford University Press, 2011

“L'exceptionnalisme américain en matière de droits de l'homme face au droit international : l'art du possible”, in : L. Hennebel (éd.), *Exceptionnalisme américain et droits de l'homme*, Paris, Dalloz, 2009, p. 237-253.

“Article 27 – Members of Diplomatic Missions and Consular Posts”, in: A. Van de Vijver (éd.), *The Belgian-US Double Tax Treaty : A Belgian and EU Perspective*, Bruxelles, Larcier, 2009, 5 p. (with Jean-Michel Degée).

“Challenges to Immunities on the Basis of the Right to a Fair Trial”, in : *International Administrative Tribunals in a Changing World, proceedings of the UNAT conference of 9 November 2007*, Esperia, 2008 (with Alexandra Weerts).

“Promise”, in : *Max Planck Encyclopedia of Public International Law*, 2007 (with Eric Suy)

“Les immunités des organisations internationales face à l'article 6 de la Convention européenne des Droits de l'Homme...”, *Journal du Droit international*, 1/2007, p.3-26 (with Alexandra Weerts)

“La mise en oeuvre par la Communauté européenne des mesures adoptées par les Nations Unies en matière de lutte contre le financement du terrorisme...”, *Journal des Tribunaux – Droit européen*, March 2006, p. 73-74 (with Alexandra Weerts)

“Les rapports entre instruments internationaux successifs portant sur la même matière”, comments on a Belgian Supreme Court judgment of 24 August 2004, *Journal des Tribunaux*, 2005, p. 322-326 (with Alexandra Weerts)

“Le tiers à l’instance dans la procédure de règlement des différends de l’OMC”, in : *Le tiers à l’instance devant les juridictions internationales (Third Parties before International Jurisdictions)*, H. Ruiz-Fabri and J.M. Sorel, eds., Paris, Pedone, 2005, p. 207-238

“Article 25”, in: *ONU – La Charte (The Charter of the United Nations)*, J.P. Cot, A. Pellet and M. Forteau, eds., 3<sup>rd</sup> ed., Paris, Economica, 2004, p. 909-918 (with Eric Suy)

“The Implementation and Enforcement of Security Council Sanctions under Chapter VII of the Charter: Belgium”, in *National Implementation of United Nations Sanctions – A Comparative Study*, V. Gowlland-Debbas, ed., Leiden/Boston, Martinus Nijhoff, 2004, p. 103-122 (with Eric Suy).

“La répression des violations du droit international humanitaire sur les plans national et international : approches belge et canadienne”, in : *Mémoire de guerre et construction de la paix. Mentalités et choix politiques. Belgique-Europe-Canada*, Brussels symposium of 19 November 2003, Serge Jaumain and Eric Remacle, eds., PIE – Peter Lang, Brussels, 2006.

“Vers un renforcement de la prévention et de la répression du terrorisme par des moyens financiers et économiques ?”, in : *Le droit international face au terrorisme : après le 11 septembre*, K. Bannelier, ed., Cahiers internationaux du CEDIN, n° 17, Paris, Pedone, 2002, p. 219-238.

Editor of « La pratique du pouvoir exécutif et le contrôle des chambres législatives en matière de droit international (1995-1999) », *Revue belge de droit international*, 2002, I-II, 426 p.

Several contributions to: *Dictionnaire du droit international public (Dictionary of Public International Law)*, J. Salmon, ed., Brussels, Bruylant, 2001. Collective work based on the procedures set out in the dictionary.

“International Law Limits to the Security Council”, in *United Nations Sanctions and International Law*, V. Gowlland-Debbas, ed., Kluwer, 2001, p. 71-82.

“Brouillage institutionnel et légitimation procédurale dans la gestion de la crise du Kosovo”, in : *Droit, politique et légitimation - le cas de la guerre du Kosovo*, O. Corten et B. Delcourt, eds., Brussels, Bruylant, 2000, p. 207-220.

“Criminal Liability for the Violation of United Nations Economic Sanctions”, *European Journal of Crime, Criminal Law and Criminal Justice*, vol. 7/2, 1999, p. 89-102.

“Le droit des relations diplomatiques et consulaires dans la pratique récente du Conseil de sécurité”, *Revue belge de droit international*, 1999/1, p. 149-177.

“Quelques observations sur la portée et la légitimité du principe de l'*uti possidetis juris* au regard de son application hypothétique à la Belgique”, in *Des limites administratives aux frontières internationales*, O. Corten a.o., eds., Brussels, Bruylant, 1998, and *Revue belge de droit international*, 1998, p. 51-69.

“Protest Against Security Council Decisions”, in: *International Law: Theory and Practice – Essays in Honour of Eric Suy*, K. Wellens, ed., The Hague/Boston/London, Martinus Nijhoff Publishers, 1998, p. 277-285.

*The Authority of the United Nations Security Council (Het gezag van de Veiligheidsraad van de Verenigde Naties)*, doctoral thesis, Catholic University of Louvain, 1997, 384 + XXVI p.

“Unilateral Acts“ (« Rechtsgeschäfte, Einseitige »), in: *Lexicon des Rechts: Völkerrecht*, I. Seidl-Hohenveldern a.o., 3<sup>rd</sup> ed., Berlin, Luchterhand (with Eric Suy).

“L'embargo et l'ONU”, *in* : *L'embargo*, Brussels, Bruylant, 1996, p. 45-85.

“La mise en œuvre des mesures coercitives économiques des Nations Unies dans la Communauté européenne”, *Revue belge de droit international*, 1993, 500-533.

## VI. Selected Conferences

*Presentations accompanied with a written contribution are mentioned only in the publications section above*

“Legal Aspects of a Multilateral Investment Court”, contribution to the conference “Towards an International Investment Court?”, Brussels, 20 February 2019.

“Defining Legitimate Expectations in International Investment Law”, presentation at a roundtable organized by the Energy Charter Treaty Secretariat and the British Institute of International and Comparative Law, Brussels, 5 November 2018.

“Feasibility of a Multilateral Investment Court”, panel discussion, Paris Arbitration Week Sorbonne Law School Conference, *Future of ISDS: Is the Multilateral Investment Court the Way Forward?*, 11 April 2018.

“Free Circulation of Judgments and the Immunity Obstacle”, University of Ghent Bicentennial Conference, *Freedom under Pressure*, 7-8 December 2017.

“Termination of Investment Treaties”, presentation at the 29<sup>th</sup> public Investment Treaty Forum Conference, *Treaty Law Issues in International Investment Law*, 20 October 2017.

“Le financement des procès internationaux”, course at the opening of the academic year, Aix-Marseille Université, 15 September 2017.

“Allowing Counterclaims”, presentation at the joint University of Geneva – AILA Conference, *A Paradigm Shift In International Investment Law*, Cairo, 2 April 2017.

“ICSID as a Self-Contained System: the Annulment and Enforcement of ICSID Awards”, presentation for lawyers of the East African Community at Dar es Salaam, Tanzania, 29-30 September 2016.

“International Investment Arbitration in the Energy Sector: What does renewable energy mean to international investment law and arbitration?”, presentation at the international conference on *Energy at Sea*, University of Athens, 22-23 October 2015.

“Private Adjudication and the Public Interest : ISDS From A Democratic Perspective”, presentation at the joint Stockholm Chamber of Commerce and Association for International Arbitration seminar, *ISDS : Recent Development and Way Forward*, Brussels, 27 May 2015.

“The Composition of ICSID ad hoc Committees : Implications”, British Institute of International and Comparative Law, 10<sup>th</sup> Investment Treaty Forum Public Conference, *Investment Treaty Awards : Post-Award Remedies, the latest swing of the pendulum?*, London, 9 May 2008.

« Les privilèges et immunités des délégations de la Commission européenne auprès des pays tiers », exposé à la *Commission européenne, Direction générale des Relations extérieures, Réunion des Chefs de Délégation*, Brussels, 13 September 2007.

Member of a Panel of Legal Experts on « *Extraterritorial Legislations as a Tool to Improve the Accountability of Transnational Corporations for Human Rights Violations* » organized under the aegis of the mandate of Professor John Ruggie, Special Representative of the UN Secretary General on transnational corporations and human rights, Brussels, 3-4 November 2006.

« State Immunity in Continental Jurisdictions », presentation at the seminar on *State Immunity*, *British Institute of International and Comparative Law*, London, 20 March 2003.

## **VII. Memberships**

Belgian Society for International Law, Société française pour le droit international, British Institute for International and Comparative Law, Institut international des droits de l'homme, International Arbitration Institute, Investment Treaty Forum, International Council for Commercial Arbitration.

## **VIII. Languages**

Active knowledge of French, English, Dutch, German. Passive knowledge of Italian, basic knowledge of Spanish.

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