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Born on 14 February 1952, Kairouan (Tunisia)

Nationalities: Tunisia (Native) Bahrain and France

Ph.D. in International Law (with distinction) (1984)
University of Paris I – Panthéon-Sorbonne

Diploma (International Relations) (1977)
Institute of Political Studies - Institut d'Etudes Politiques - Paris

Visiting Scholar- **Yale Law School- (1996)**
Connecticut – United States of America

INTERNATIONAL LAWYER

Attorney-At- Law (Avocat à la Cour)

Member of the Bar of Paris- Emeritus (Avocat Honoraire)

Member of the Bar of Tunisia

Founding & Managing Partner
Kemicha Legal Consulting (K.L.C)
Les Berges du Lac-Tunis-Tunisia

Of Counsel- **Winston & Strawn LLP** Genève (et Paris, London, Chicago, New York, Washington DC, Los Angeles) (July 2002-July 2005)

INTERNATIONAL COMMERCIAL ARBITRATION

Membership & Positions in Arbitral Institutions:

Advisory Member of the Governing Board of the **International Council for Commercial Arbitration I.C.C.A** (April 2017-)

Member of the Governing Board of the **International Council for Commercial Arbitration I.C.C.A** (May 2007- April 2017)

Member of the Board of Trustees and the Executive Committee of the **Dubai International Arbitration Centre-DIAC** (November 2004- 2020)

Vice-President of the **London Court of International Arbitration - LCIA-** (May 2002-May 2005)

Member of the Court of the **London Court of International Arbitration - LCIA-** (September 1989-May 1995 et May 1998-May 2002)

Vice-Chairman, the Commission on Arbitration - **International Chamber of Commerce – ICC** (January 2008- January 2011)

Former Member of the "Experts Group on Arbitral Practice"
United Nations Commission on International Trade Law UNCITRAL (Vienna)

Vice-Chairman of the Arab Regional Forum (ARF) of the **International Bar Association IBA** (2013-2014)

Former Secretary-General of the **Arbitration System of the Euro-Arab Chambers of Commerce - Paris**

Founder and Secretary-General of the **Euro-Arab Forum for Arbitration and Business Law- Paris**

Arbitrator's Appointments

Acted as Sole Arbitrator, Chair, and Party appointed Arbitrator under the Rules of:

International ICC Court of Arbitration-ICC

Permanent Court of Arbitration -PCA -The Hague

London Court of International Arbitration- LCIA

Dubai International Financial Centre DIFC LCIA

Dubai International Arbitration Centre- DIAC

Abu Dhabi Commercial Arbitration and Conciliation Centre-ADCCAC

The Cairo Regional Centre for International Commercial Arbitration

**Member (Arbitrator) of the Iraq Arbitration Panel (2005-2006&2008)
Iraq Commercial Debt Settlement Offer**

Panel of Arbitrators:

Abu Dhabi Global Market Courts Arbitration Centre- ADGM-

Bahrain Chamber for Dispute Resolution -BCDR

CCJA-OHADA

Hong Kong International Arbitration Centre-HKCIAC

Kigali International Arbitration Centre – KIAC

Oman Commercial Arbitration Centre

Recent Arbitration Appointments:

- Co-arbitrator in an LCIA arbitration. **Subject matter:** A Distributorship Agreement.
Parties' nationalities: USA & Saudi Arabia.
Rules : LCIA, **Seat :** London, **Law :** Saudi Arabia, **Language:** English

- Chairman in a DIAC arbitration. **Subject matter:** a Joint-Venture Agreement for the purpose of undertaking the design and construction of Power and Desalination Station
Parties' nationalities: UAE & Spain
Rules : DIAC, **Seat :** Dubai, **Law :** UAE, **Language:** English
- Co-arbitrator in a DIFC-LCIA arbitration **Subject matter :** Shareholder Agreement **Parties' nationalities:** Saudi Arabia& UAE
Rules : DIFC-LCIA, **Seat :** Dubai, **Law :** Emirate of Dubai, United Arab Emirates, **Language:** Arabic-English and then Arabic
- Chairman in a DIAC arbitration **Subject matter :** Construction
Parties' nationalities: UAE
Rules : DIAC, **Seat :** Dubai, **Law :** UAE, **Language:** English
- Co-arbitrator in an ICC arbitration in Paris **Subject matter:** Construction
Parties' nationalities: Libya & Tchad
Rules : ICC, **Seat :** Paris, **Law :** Tchad, **Language:** French
- Co-arbitrator in an ad hoc arbitration **Subject matter :** Settlement Agreement
Parties' nationalities: Swiss & Egyptian
Rules : UNCITRAL, **Seat :** Paris, **Law :** Egypt, **Language:** English
- Chairman in a PCA arbitration **Subject matter :** Consultant Services Contract
Parties' nationalities: Canada & Benin
Rules : UNCITRAL, **Seat :** Abidjan – Côte d'Ivoire, **Law :** France, **Language:** French
- Chairman in a PCA arbitration **Subject matter :** construction
Parties' nationalities: UAE
Rules : UNCITRAL **Seat :** Ras Al Khaimah, **Law :** Ras Al Khaimah-UAE, **Language:** Arabic/English
- Chairman in a PCA arbitration **Subject matter :** Engineering and Project Management Agreement
Parties' nationalities: Sudan& Mauritania
Rules : UNCITRAL, **Seat :** Dubai, **Law :** Mauritania, **Language:** Arabic
- Sole arbitrator in a DIAC arbitration : **Subject matter :** Dispute over the agreements for the supply of construction materials.
Parties' nationalities: UAE & Kazakhstan
Rules : DIAC, **Seat :** Dubai, **Law :** Laws of the Republic of Kazakhstan, **Language:** English
- Presiding arbitrator in an LCIA arbitration **Subject matter :** Management Contract
Parties' nationalities: UAE & Spain
Rules : LCIA, **Seat :** Abu Dhabi, **Law :** UAE, **Language:** English
- Presiding arbitrator in an LCIA arbitration **Subject matter :** Hospitals Knowledge Transfer and Clinical Services Agreement

Parties' nationalities: USA& Kuwait
Rules : LCIA, **Seat :** London, **Law :** Kuwait, **Language:** English

- Co-arbitrator in an ICC arbitration **Subject matter :** Aircraft Lease Agreements & Guarantees
Parties' nationalities: USA & UAE
Rules : ICC, **Seat :** New York City, **Law :** Laws of the State of Kansas and Dubai law, **Language:** English
- Chairman in an ICC arbitration **Subject matter :** Distributorship Agreement
Parties' nationalities: Saudi Arabia & Germany
Rules : ICC, **Seat :** Paris, **Law :** Saudi Arabia, **Language:** English
- Sole arbitrator in a DIFC-LCIA arbitration **Subject matter :** Settlement Agreement
Parties' nationalities: Mauritius & UAE
Rules : DIFC-LCIA, **Seat :** DIFC-Dubai, **Law :** UAE, **Language:** English
- Sole arbitrator in an ADCCAC arbitration **Subject matter :** Assignment Agreement
Parties' nationalities: UAE
Rules : ADCCAC, **Seat :** Abu Dhabi, **Law :** UAE, **Language:** English
- Co-arbitrator (designated by appointing authority of the Permanent Court of Arbitration) **Subject matter :** construction of a wind park
Parties' nationalities: Spain & Syria
Rules : UNCITRAL, **Seat :** PCA The Hague Netherland, **Law :** Investment Treaty and Syrian Law, **Language:** English
- Co-arbitrator (A Tribunal of five) in a CRCICA case **Subject matter :** Telecom Interconnection Agreement. **Parties' nationalities:** UK & Egypt
Rules : CRCICA, **Seat :** Cairo, **Law :** Egypt, **Language:** Arabic
- Chairman in a DIAC case **Subject matter :** Construction FIDIC
Parties' nationalities: UAE
Rules : DIAC, **Seat :** Dubai, **Law:** UAE, **Language:** English
- Chairman in a DIAC case **Subject matter :** Shareholder dispute - Real Estate
Parties' nationalities: UAE, Swiss and Italy
Rules : DIAC, **Seat :** Dubai, **Law :** Dubai, **Language:** English
- Sole arbitrator in an ICC case **Subject matter :** Hospitality
Parties' nationalities: Canada & Morocco
Rules : ICC, **Seat :** Paris, **Law :** Morocco, **Language:** French
- Co-arbitrator in an ICC case **Subject matter :** the performance of the Memorandum of Understanding
Parties' nationalities: Spain & Saudi Arabia
Rules : ICC, **Seat :** Geneva, **Law :** Switzerland, **Language:** English
- Co-arbitrator in an ad hoc case **Subject matter :** Hospitality
Parties' nationalities: France & Tunisia

Rules : Ad-Hoc, **Seat :** Tunis, **Law :** Tunisia, **Language:** French

- Chairman in an ICC Case **Subject matter :** Contract for the delivery of locomotives
Parties' nationalities: France & Syria
Rules : ICC, **Seat :** Geneva, **Law :** Syria, **Language:** English
- Chairman in a DIAC case **Subject matter :** sale and purchase agreement-Real Estate
Parties' nationalities: UAE
Rules : DIAC, **Seat :** Dubai, **Law :** UAE, **Language:** English
- Chairman in a DIAC case **Subject matter :** sale and purchase agreement-Real Estate
Parties' nationalities: Sudan & Qatar
Rules : DIAC, **Seat :** Dubai, **Law :** Sharia Law & Sudan, **Language:** Arabic
- Chairman in an ADCCAC case **Subject matter :** Memorandum of Understanding relating to the Appointment of Financial Advisor, Lead Arranger, Lead Manager and Book Runner for an Initial Public Offering
Parties' nationalities: UAE
Rules : ADCCAC, **Seat :** Abu Dhabi, **Law :** UAE, **Language:** English
- Chairman in an ICC case **Subject matter :** Performance of a Settlement Agreement
Parties' nationalities: Saudi Arabia & Austria
Rules : ICC, **Seat :** Paris, **Law :** Saudi Arabia, **Language:** English
- Chairman in an ICC case **Subject matter :** Construction-time of war
Parties' nationalities: Germany & Iraq
Rules : ICC, **Seat :** Paris, **Law :** Iraq, **Language:** English
- Chairman in an ICC case **Subject matter :** Pre-bid agreement for construction
Parties' nationalities: India & UAE, Lebanon
Rules : ICC, **Seat :** Abu Dhabi, **Law :** Abu Dhabi -UAE, **Language:** English
- Sole arbitrator in an LCIA arbitration **Subject matter :** Letter of Award for the manufacture and supply of power generation equipment
Parties' nationalities: UK & China
Rules : LCIA, **Seat :** London, **Law :** UK, **Language:** English
- Co-arbitrator in an ad hoc arbitration **Subject matter :** Construction.
Parties' nationalities: France & Saudi Arabia
Rules : Ad hoc, **Seat :** Bahrain, **Law :** France, **Language:** English

INTERNATIONAL LAW & INTERNATIONAL ORGANIZATIONS

INTERNATIONAL LAW COMMISSION -UNITED NATIONS

Member of **the International Law Commission** of the **United Nations-**
(2002-2011) **Geneva,**

Elected on 13 November 2001 by the UN General Assembly (134
votes)

First Term (2002-2006)

Re-elected on 16 November 2006 by the UN General Assembly
(152 votes) for a second term (2007-2011)

INTERNATIONAL COURT OF JUSTICE-ICJ

Counsel to the State of Pakistan in **The Case concerning the Aerial
Incident of 10th August 1999 (Pakistan v. India)** - International Court of
Justice -ICJ -The Hague-Oral Pleadings: 3-6 April 2000-Judgment 21 June
2000

Counsel to the State of Bahrain in **The Case concerning Maritime
Delimitation and Territorial Questions between Qatar and Bahrain
(Qatar v. Bahrain)** – International Court of Justice -ICJ -The Hague- Oral
Pleadings: 29 May –29 June 2000- Judgment 16 March 2001

SANCTIONS BOARD -WORLD BANK (2007-2012)

Member of **the World Bank Group Sanctions Board (Anti- Corruption)**
Washington D.C (31st January 2007- 30 January 2009)

Chair of **the World Bank Group Sanctions Board (Anti- Corruption)-
First External Chair**

Washington D.C (31st January 2009- 30 May 2012)

CONSTITUTIONAL COURT OF THE KINGDOM OF BAHRAIN

First appointed Secretary General, **the Constitutional Court of the
Kingdom of Bahrain** (January 2003- January 2006)

HONOURS:

Awarded by His Majesty King Hamad Bin Isa Al Khalifa, the King of the Kingdom of Bahrain, "**The Order of Bahrain**" (First Class) – 2 May 2001

Made by President Jacques Chirac, President of the French Republic, **Knight of the French Legion of Honour** – *Chevalier de l'Ordre national de la Légion d'honneur*- **April 2007**

Award of the Insignia by the President of the Bar of Paris - 30 October 2007

SELECTION OF PUBLICATIONS ON ARBITRATION AND INTERNATIONAL LAW

Books:

- « **Mémoires en quête d'avenir : Le parcours d'un avocat itinérant** » Éditions Vérone -Paris Juillet 2022-**Préface : Bâtonnier Yves Repiquet**
- « **Memoirs in a path for tomorrow: The Journey of an itinerant lawyer**” Archway Publishing from Simon& Schuster - 2023.-**Preface: Jan Paulsson**
- د.فتحي كميشة : "مذكرات تتطلع إلى المستقبل : رحلة محام عابر للقارات
Preface : Dr Moufid Shehab
2023.
- “**Euro-Arab Arbitration**” Proceedings of the **First Euro Arab Arbitration Congress**, Tunisia 1985 - **Lloyd's of London Press**, 382 pages.
General Editor: Fathi Kemicha
- “**Euro-Arab Arbitration II**” Proceedings of the **Second Euro Arab Arbitration Congress**, Bahrain 1987 -**Graham & Trotman, London**, 227 pages.
General Editor: Fathi Kemicha
- “**Euro-Arab Arbitration III**” Proceedings of the **Third Euro Arab Arbitration Congress**, Jordan 1989, **Graham & Trotman, London**, 265 pages
General Editor: Fathi Kemicha

Selection of Articles & Communications:

- F. Kemicha and G. Blanke, “**The Conduct of the Hearing**” Chapter 15 in G. Blanke and S. Corm-Bakhos (eds), **The MENA Leading Arbitrators' Guide**, Juris, 2023.

- **Contributed with the section on Tunisia of 2001 Year-in- Review Report on development in Middle Eastern Law under the coordination of Jim Phipps and Christopher H. Johnson - : Middle East Business Law -VOL 36, N°3**
- « The Emergence of New Arbitration Centres in the Arab World », **contribution to Liber Amicorum “Law of International and Dispute Resolution in the 21st Century” Liber Amicorum in Honour of Prof. Dr. Karl-Heinz Böckstiegel – Carl Heymanns Verlag KG - June 2001**
- « Arbitration in the Arab World in the 21st Century » **in « Arab Commercial Law: Principles and Perspectives »** edited by William M. Ballantyne and Howard Stovall , **Chicago, I11: Section of International Law and Practice, “American Bar Association “ 2002**
- **Conférence sur « La Pratique des contrats internationaux dans les pays de droit arabo-musulman »** dans le cadre du Séminaire sur « la négociation, la rédaction et l’exécution des contrats internationaux » -**Institut du droit des affaires internationales de la CCI Paris, 28-31 janvier 2002**
- **Foreword of the Special Issue « Arbitration in the Middle East » of the DIAC JOURNAL published by the Dubai International Arbitration Centre DIAC -Volume 1-N°3 October 2004**
- “The Approach to Mediation in the Arab World “: Communication at The Conference on Mediation organized by The **World Intellectual Property Organization-WIPO Geneva 29 March 1996**
- « Les défis de la mondialisation de l’arbitrage international du point de vue d’un pays arabe : La Tunisie » - Communication à la Conférence organisée par la **London Court of International Arbitration LCIA Tunis, 23 mars 1999**
- « L’Arbitrage commercial international : Mythes et réalités » Série de cours de pratique du droit du développement à l’**Institut International de Droit du Développement - IDLI Rome 6-7 octobre 1998**
- « Mutations économiques & nouvelles places d’arbitrage dans le monde arabe » **Communication au colloque international organisé par le Centre d’Arbitrage de Tunis le 27 avril 1999 à Tunis.**
- “Future Perspectives on International Commercial Arbitration in the Arab Countries” **Final Report** delivered at the Conference organized by **the International Council for Commercial Arbitration -ICCA** in Bahrain from 14 to 16 February 1993 **in ICCA Congress series n° 6- International Arbitration in a Changing World- Kluwer 1994 p221-238.**
- **Chairman of the session on: “Dispute Resolution in the Oil and Gas Industry-Current Issues” at the Conference organized by the Dubai International Arbitration Center on: Meeting Business Needs in the Middle East: Effective Dispute Resolution for the Region, 23&24 November 2004 Dubai United Arab Emirates**

- **Chairman of the session on: “Disputology & Risk with particular reference to the Gulf” at the Conference organized by the Dubai International Arbitration Center on: Arbitration & ADR in the Construction Industry, 13&14 November 2005 Dubai - United Arab Emirates**
- « Règlement des différends relatifs aux investissements » –Communication au « Third Arab Regional Conference » organisée par l’**International Bar Association -IBA Casablanca-** Maroc 24-26 mai 1993

October 2023