

# Oonagh Sands

## CONTACT INFORMATION

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## CAREER HISTORY

- Fietta LLP, senior associate (2018 onward)
- Fietta LLP, consultant (2017-2018)
- American Society of International Law, co-chair, space law interest group (2016-2018)
- Eversheds Sutherland, senior associate (2017)
- Foley Hoag LLP, associate (2011-2017)
- United Nations, Office of Legal Affairs, researcher (2010)
- Matrix Chambers, research assistant to Prof. Philippe Sands QC (2009-2010)
- King & Wood Mallesons, associate (2006-2009)
- King & Wood Mallesons, trainee (2004-2006)
- American Society of International Law, researcher and writer (2004)
- Center for Strategic & International Studies, research assistant (2003-2004)
- Georgetown University Law Center, research assistant to Dean (2003)
- European Commission (2003)

## AREAS OF EXPERTISE

Oonagh Sands is a dually-qualified English and US-lawyer.

She has significant experience representing sovereign States and their State-owned entities, as well as private individuals and entities, before leading world dispute resolution fora. She has represented clients before the International Court of Justice, the Permanent Court of Arbitration, as well as investor-State arbitral tribunals constituted under ICSID, ICSID Additional Facility, UNCITRAL, and ICC rules. In addition, Oonagh has counselled States on territorial and maritime boundary disputes, as well as issues arising under the law of the sea.

Prior to joining Fietta, Oonagh worked at major law firms in Washington DC and London. Oonagh has also worked for the United Nations Office of Legal Affairs in New York, the European Commission in Brussels, and the Institute of International Economic Law at Georgetown University Law Center in Washington DC.

In 2016, Oonagh was recognised by The Irish Times for women's influence in global public affairs.

## EDUCATION AND ACADEMIC ACTIVITIES

LLM Public International Law (*Pass with High Merit*) (2009-2010), University College London

LLM General Legal Studies (2002-2003), Georgetown University Law Center

Postgraduate Diploma EC Competition Law, (2001-2002), King's College London

French Civil Law (*Distinction*), (1999-2000), Université de Bourgogne

LLB (*Jt. Hons*) Common and Civil Law with French, (1997-2001), Queen's University Belfast

## RECENT PUBLICATIONS AND SPEAKING ENGAGEMENTS

- Steering Committee Member, "Beyond National Jurisdiction: Human Activities in the Oceans, Polar Regions and Outer Space", American Society of International Law (2018-present).
- Speaker, "Top Tips for Advocacy in Arbitration". Young Practitioners' Seminar, Arbitration Ireland & International Centre for Dispute Resolution, 7 November 2017.
- Moderator, "Making Space for Private Actors", Annual Meeting of the American Society of International Law, Washington DC, 18 April 2017.
- Speaker, "The 50<sup>th</sup> Anniversary of the Outer Space Treaty", Symposium organised by the American Society of International Law and Georgetown University Law Centre, 27 January 2017
- Procedural Fairness in Investor-State Arbitration, British Institute of International and Comparative Law, 2015.
- European Conflict of Law Rules for Non-Contractual Liability: The Rome II Regulation, 168 I.H.L 88-91 (2009).
- Free Speech, Hate Speech and Incitement, 1580 Sol. J. 238-39, 2006 (with David I. Shapiro).
- Sheer Terror, 149 Sol. J., 1372-73, 2005 (with David I. Shapiro).
- British Prevention of Terrorism Act, ASIL Insights, American Society of International Law, Washington D.C., 2005.
- Temporary Movement of Labor Fuels Global GATS Debate, The Source (Migration Policy Institute), 2004.

## REPRESENTATIVE MATTERS

Highlights of Oonagh's contentious practice have included:

- Counsel to Big Sky Energy in an investment treaty arbitration relating to alleged illegal actions by the Government of Kazakhstan and its courts, including domestic judicial proceedings
- Counsel to Libya in an investment treaty arbitration initiated under the OIC Investment Agreement relating to events during the Arab Spring
- Counsel to India in an UNCITRAL arbitration under the France-India bilateral investment treaty arising from a contract concerning the supply and operation of cargo handling equipment
- Counsel to Bangladesh and its State-owned entities in an ICSID arbitration regarding two gas-field blowouts involving gas production contracts governed by Bangladeshi law
- Counsel to Ecuador in an UNCITRAL arbitration under the Ecuador-U.S. bilateral investment treaty arising from the alleged treatment of a foreign investor by the Ecuadorean judiciary
- Counsel to El Salvador in an ICSID arbitration brought under the Salvadorian Investment Law in relation to a geothermal energy project

- Counsel to El Salvador in relation to the annulment of an ICSID award that dismissed a case for lack of jurisdiction under the CAFTA
- Counsel to Venezuela in an ICSID arbitration under the Venezuela-Belgium/Luxembourg and Venezuela-Portugal bilateral investment treaties in respect of a hot briquetted iron production plant
- Counsel to Venezuela in an ICSID Additional Facility proceeding brought by a Canadian company under the Canada-Venezuela bilateral investment treaty in connection with a mining operations contract
- Research assistant to arbitrator in a NAFTA arbitration administered under ICSID Additional Facility Rules regarding two petroleum development projects off the coast of Canada
- Counsel to the Central Bank of a sovereign State with respect to protecting State-owned assets from attachment in the post-award phase of an UNCITRAL investment-treaty arbitration
- Counsel to an international telecoms company with respect to potential investment treaty claims against an Eastern European State
- Counsel to a European renewable energy company with respect to potential investment treaty claims against an Eastern European State
- Counsel to Somalia in a dispute concerning the delimitation of a maritime boundary in the Indian Ocean
- Counsel to Ecuador in a case concerning Colombia's aerial spraying of toxic herbicides in close proximity to the Ecuadorian border.
- Drafted written pleadings for the State of Georgia in response to the claims of the United States in the dispute concerning the delimitation of a maritime boundary in the Indian Ocean
- Counsel to a European renewable energy company with respect to potential investment treaty claims against an Eastern European State
- Counsel to a large energy company in ICC proceedings brought by a consortium in connection with breach of contract claims relating to enhanced oil recovery techniques
- Counsel to a European private equity funds-of-funds in relation to a high-profile investigation regarding illicit finders' fees paid to State officials by other entities, which was subject to investigation by the Criminal Division of the Office of the New York State Attorney General and the U.S. Securities and Exchange Commission
- Counsel to multiple investment banks, commercial enterprises and high net-worth individuals in domestic and international disputes involving issues of sovereign immunity, contract, fraud, tort, insolvency, competition law, conflicts of laws, defamation, and freedom of information

## LANGUAGE PROFICIENCY

French and Spanish