



Peter Rosher

Partner

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Peter is a Partner in the Paris infrastructure and Construction Group in Paris where he has practised for the last twenty years. He is dual qualified (English Solicitor / French Avocat) and advises clients on contentious issues as well as provides extensive advisory services in relation to "live" major projects. He has particular experience in international commercial and investment arbitration and dispute resolution, with specific knowledge in international engineering, construction, energy and infrastructure. He has handled arbitration cases both on an *ad hoc* basis (including UNCITRAL) and under the rules of international arbitration institutions in many jurisdictions across Europe, Asia, Middle East and Africa. Peter also acted as advisor to clients in relation to dispute boards. Peter is an experienced advocate, having appeared before numerous international arbitral tribunals. He also sits as arbitrator.

Legal 500 2015 ranks Peter as a leading lawyer for international construction dispute work: "[Peter Rosher is an] *excellent tactician with a sharp legal mind*".

Legal 500 2012/2013: "[Peter Rosher is a] *very client-oriented lawyer who gets the job done*".

Key relevant experience includes:

- Advising in a significant ICC arbitration for an important German constructor with respect to claims arising under a construction consortium contract against French counterparties for an innovative sophisticated technology system. Award obtained successfully for German client. Resisting a challenge brought before the French courts of the award
- Acting for a major European Contractor in relation to an ICC arbitration on a high profile project in Eastern Europe
- Acting for a Russian state owned company defending claims for wrongful termination of contract. Approximate value: US\$1billion
- Counsel in an international mediation for an Employer relating to a complex construction dispute concerning cost overruns and defective works
- Counsel for a Consortium of European contractors against a state owned hydroelectric power entity (FIDIC)
- Representing a Russian contractor with respect to enforcement proceedings in France with respect to an ICC arbitral award
- Counsel for an employer in a US\$130M engineering dispute (construction of a process plant in Italy – oil industry), UNCITRAL Arbitration Geneva (concerned an integrated gasification combined cycle power plant – 540MW)
- Counsel for a European contractor in an *ad hoc* arbitration with respect to an undersea pipeline project in Asia
- Counsel for a state owned enterprise in a joint venture dispute concerning exploitation of oil fields in Lithuania, ICC Arbitration, Copenhagen
- Advisor to European pool of banks in respect of an Expert determination procedure
- Counsel for a major European telecom provider in a £70 million dispute arising out of a joint venture agreement for a satellite project

Peter is a member of the International Arbitration Institute, the International Law Association and the LCIA and he sits on the board of a Paris Arbitration Association. He lectures on arbitration at the University of Versailles and at Sciences Po and regularly publishes and speaks at arbitration and construction conferences.

Recent articles:

- Force majeure, "hardship" et imprévision en droit international (BEM, N°1212, 14 septembre 2015)
- Good faith in construction contracts under French law and some comparative observations with English law (the International Construction Law Review, 2015)
- NEC3 contracts: Partnering benefits, drawbacks and adaptation under French Law (RDAI/IBLJ N°4, 2015)
- Point de vue – La réforme du droit des contrats : quelles conséquences pour les contrats de construction ? (Le Moniteur.fr, 2 juillet 2015)
- Traités internationaux d'investissement : un outil précieux pour les entreprises de BTP à l'export (BEM N°1204, 22 juin 2015)
- Partnering / Alliancing – A new way of thinking about construction (RDAI/IBLJ, N°3, 2015)
- Le "Partnering", une nouvelle façon de contracter à l'international (BEM N°1199, 18 mai 2015)
- Contrats FIDIC et droit civil : une confrontation délicate dans les projets internationaux ? (BEM N°1191, 23 mars 2015)
- Adapting FIDIC provisions for use in contracts governed by French law (RDAI, IBLJ, N°2, 2015)
- Forty years on: French law on sub-contracting (the International Construction Law Review, 2015)
- Conflits dans les projets de construction : choisir son arbitre (Le Moniteur.fr, 26 décembre 2014)
- Quelle applicabilité à l'international pour la loi du 31 décembre 1975 sur la sous-traitance ? (BEM, N°1177, 15 décembre 2014)
- Les entreprises préfèrent les arbitres aux juges (Les Echos.fr, 6 novembre 2014)
- Delay analysis in international construction projects: a comparative study in English and French law (RDAI/IBLJ, N°6, 2014)
- Qu'est-ce que l'arbitrage ? (Journal des sociétés, N°123, octobre 2014)
- Arbitrage ou voie judiciaire classique : comment arbitrer ? (DAF Mag.fr, 8 septembre 2014)
- Clauses exonératoires et limitatives de responsabilité : quels risques dans les contrats de grands projets internationaux de construction ? (BEM, 2 juin 2014)