

KATIA YANNACA-SMALL
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PROFESSIONAL EXPERIENCE

INDEPENDENT COUNSEL AND ARBITRATOR, WASHINGTON DC, 4/2017-PRESENT

Advise companies, States and State-owned entities on various issues of international law and investor-state arbitration. Arbitrating commercial and investor-state disputes.

SHEARMAN AND STERLING, LLP, WASHINGTON DC

Counsel - International Arbitration and Public International Law Groups, 10/2012-4/2017

Acted as lead counsel in international commercial and investment arbitrations under ICSID and ICC Rules. Advised States, State-owned entities and companies on various issues of international arbitration and public international law and provide training in investment arbitration to governmental and other lawyers. Provided pro bono international law advice on issues related to conflict situations.

WORLD BANK -- INTERNATIONAL CENTRE FOR THE SETTLEMENT OF INVESTMENT DISPUTES (ICSID), WASHINGTON DC

Senior Counsel, 9/2008-8/2010

Administered arbitration of several high profile investor-state disputes under Bilateral Investment Treaties and NAFTA. In this capacity, had first-hand experience with the procedural and substantive unfolding of cases, including selection of arbitrators, the deliberations of the tribunals and the drafting of decisions and awards. Proposed and developed ICSID's first comprehensive outreach plan and was responsible for developing and conducting its first element, a course on ICSID procedure for government officials and practitioners that was launched in June 2010 ("ICSID 101").

ORGANIZATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (O.E.C.D.), PARIS, FRANCE

Senior Legal Advisor on International Investment Law, 9/2010-9/2012 and 2002-2007

In charge of all of OECD's analytical work on legal issues related to international investment agreements and investment arbitration. Managed a team of lawyers, proposed and developed the agenda and substantive papers for discussion and policy development by the OECD Investment Committee. The results of this work have been used as reference by participating governments and included in several OECD publications. Initiated a dialogue among OECD and non-OECD governments, NGOs and practitioners on investor-state dispute settlement aiming at concrete improvements of the system.

Advisor on International Investment Policy, 1997-2001

Responsible for the examination of foreign direct investment policies and laws of Central and Eastern European countries. Review and amendment of the OECD Guidelines for Multinational Enterprises – one of the main international instruments to enhance corporate social responsibility.

Advisor on Anti-Corruption Policy, 1989-1997

Provided substantive and organizational support for the anti-corruption work during the period leading up to the negotiation of 1997 OECD Anti-Bribery Convention. This included participation in the negotiations, which produced the Recommendations (soft-law instruments) preceding and forming the core of the Convention.

Legal Advisor, Legal Directorate, 1989-1990

Oversaw procurement contracts, privileges and immunities, budgetary and personnel matters.

Consultant, Trade Directorate, 1988-1989

Prepared studies and provided support for the Trade Committee's work on intellectual property (TRIPs) and investment (TRIMs) during the GATT Uruguay Round negotiations.

ACADEMIA

UNIVERSITY OF SOUTHERN CALIFORNIA GOULD SCHOOL OF LAW, LOS ANGELES, CA

Adjunct Professor, 1/2017-present

Course on International Investment Law and Arbitration

COLUMBIA UNIVERSITY, CENTER ON SUSTAINABLE INVESTMENT

Guest Lecturer, 2015-present

Training Course on International Investment Law and Arbitration for foreign government officials

INSTITUTE OF INTERNATIONAL ECONOMIC LAW (IIEL), GEORGETOWN LAW CENTER, WASHINGTON DC

Visiting Fellow, 9/2007-6/2008

Research, writing and lecturing on International Investment law and Arbitration. Course work on WTO dispute settlement.

EDUCATION

Ecole Nationale d'Administration (E.N.A.), Paris, France

Diploma in Public Administration (1992)

University of Paris I - Panthéon Sorbonne, Paris, France

Master's Degree (D.E.A.) in International Economic Law (1987)

Master's Degree (D.E.A.) in Public International Law (1986)

Kapodistriakon University of Athens, Faculty of Law, Athens Greece

Law Degree (J.D. equivalent) with Honors (1985)

BAR ADMISSION & QUALIFICATIONS

District of Columbia (Special Legal Consultant); Athens, Greece; Paris, France (qualified for admission)

LANGUAGES

Greek (native); English (fluent); French (fluent); Spanish (knowledge)

NATIONALITY

Greek, US.

PROFESSIONAL AFFILIATIONS

- Member, Advisory Board, *Investment Claims*
- Member, World Bank's Investing Across Borders project (IAB);
- Member, International Bar Association (IBA);
- Member, International Law Association (ILA) Committee on Rule of Law and International Investment Law;
- Member, American Society of International Law (ASIL);
- Member, American Bar Association (ABA) International Arbitration Committee;
- Member, International Arbitration Institute (IAI);
- Member, London Court of International Arbitration (LCIA); LCIA Panel of Arbitrators;
- Member, International Chamber of Commerce (ICC) Hellenic Committee;
- Panel member, UNCTAD ad hoc Expert Group meetings;
- Peer reviewer, ICSID Review-Foreign Investment Law Journal;
- Peer reviewer, Columbia Yearbook on International Investment Law and Policy.

AWARDS

Recognized in the 2017 Edition of Best Lawyers©, Washington D.C., for International Arbitration (Government).

PUBLICATIONS

Authored numerous articles and appears as frequent speaker on international investment law and investment arbitration. Publications include:

1. Editor, *Arbitration under International Investment Agreements: A Guide to the Key Issues, Second Edition* (Oxford University Press, forthcoming Summer 2018)
2. Editor, *International Investment Agreements and Investor-State Dispute Settlement at a Crossroads: Identifying Trends, Differences and Common Approaches*, Proceedings of the Second Symposium on International Investment Agreements co-organized by OECD and UNCTAD on 14 December 2010 (OECD website, 2012)
3. Editor, *Arbitration under International Investment Agreements: A Guide to the Key Issues* (Oxford University Press, 2010)
4. “BIVAC BV v Paraguay versus SGS v Paraguay: The Umbrella Clause still in Search of One Identity” (in 29(2) *ICSID Review* (2013))
5. “Who is entitled to claim? Nationality Challenges,” in *Arbitration under International Investment Agreements* 211 (K. Yannaca-Small ed., Oxford University Press, 2010)
6. “Definition of ‘Investment’: An Open-ended Search for a Balanced Approach,” in *Arbitration under International Investment Agreements* 243 (K. Yannaca-Small ed., Oxford University Press, 2010)
7. “What about this ‘Umbrella clause?’” in *Arbitration under International Investment Agreements* 479 (K. Yannaca-Small ed., Oxford University Press, 2010)
8. “Fair and Equitable Treatment Standard,” in *Arbitration under International Investment Agreements* 385 (K. Yannaca-Small ed., Oxford University Press, 2010)
9. “Indirect Expropriation and the Right to Regulate: How to Draw the Line?” in *Arbitration under International Investment Agreements* 445 (K. Yannaca-Small ed., Oxford University Press, 2010)
10. “Annulment of ICSID Awards: Limited Scope, But is There Potential?” in *Arbitration under International Investment Agreements* 603 (K. Yannaca-Small ed., Oxford University Press, 2010)
11. “Parallel Proceedings,” in *The Oxford Handbook of International Investment Law* 1008 (P. Muchlinksi, F. Ortino & C. Schreuer eds., Oxford University Press, 2008)
12. “Improving the System of Investor-State Dispute Settlement: The OECD Governments’ Perspective,” in *Appeals Mechanism in International Investment Disputes* 223 (K. Sauvart & M. Chiswick-Patterson eds., Oxford University Press, 2008)
13. “Fair and Equitable Treatment Standard: Recent Developments,” in *Standards of Investment Protection* 111 (A. Reinisch ed., Oxford University Press, 2008)
14. “Essential Security Interests under International Investment Law,” in *International Investment Perspectives: Freedom of Investment in a Changing World* 93 (OECD, 2007)
15. “Consolidation of Claims: A Promising Avenue for Investment Arbitration?” in *International Investment Perspectives* 225 (OECD, 2006)
16. “Transparency and Third Party Participation In Investor-State Dispute Settlement Procedures,” in *International Investment Law: A Changing Landscape* 9 (OECD, 2005)
17. “Fair and Equitable Treatment in International Investment Law,” in *International Investment Law: A Changing Landscape* 73 (OECD, 2005); Chinese translation in *Journal of International Economic Law* (China), Vol. 13, No. 2 (2006)
18. “‘Indirect Expropriation’ and the ‘Right to Regulate’ in International Investment Law,” in *International Investment Law: A Changing Landscape* 43 (OECD, 2005); Russian translation in *Die Rechtslage von Auslandsinvestitionen in Transformationslaendern, Liber Amicorum to Professor Wolfgang Seiffert* (Berliner Wissenschafts-Verlag, 2006)