



## Ilija Mitrev Penushliski

Partner, London

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Ilija is a partner in the Paris office. Ilija has represented clients in international arbitrations conducted under all major arbitration rules. His practice focuses on complex investment and commercial arbitrations, particularly in the energy sector. He has extensive experience with proceedings for the annulment and enforcement of arbitral awards in numerous jurisdictions. Ilija has also advised clients in relation to the renegotiation of bilateral investment treaties and on public international law issues, more generally, including on immunities, the law of the sea, and international criminal law.

### Selected Experience

- Representing a Ministry of Finance of a European State in an ICC arbitration against a consortium of European infrastructure companies, relating to a project for the improvement of the wastewater infrastructure in the country. The contract is based on the FIDIC Red Book.
- Representing an aviation consultancy firm in an ICC arbitration seated in Geneva against a major aircraft manufacturer. The dispute arose from a series of consultancy contracts governed by French law. The consultant is seeking payment of unpaid remuneration in the amount of US\$80 million and financial relief in connection with the termination of the relationship.
- Advising a European energy company and the municipality of a European city in an SCC arbitration against an international utility company. The dispute arises from a long-term agreement for the lease of energy generation facilities.
- Representing the majority shareholders in the former Yukos Oil Company in proceedings initiated in multiple jurisdictions in relation to the setting aside and recognition and enforcement of the \$50 billion awards rendered in the arbitrations against the Russian Federation. Ilija also represented the majority shareholders in the underlying UNCITRAL arbitrations, in which the Tribunal found the Russian Federation liable to pay damages under the Energy Charter Treaty for the expropriation of the shareholders' investments in Yukos.
- Representing The Republic of Lithuania as Respondent in an ICSID arbitration relating to district heating and power generation markets in Lithuania brought under the Lithuania-France bilateral investment treaty.
- Representing the Republic of Lithuania in two arbitrations against Gazprom: one brought by Gazprom under the Russia-Lithuania BIT in respect of Lithuania's implementation of the EU Third Energy Package and another brought by the State under two contracts in respect of Gazprom's undertaking to supply gas to Lithuania at fair prices;
- Advising Electricité de France (EDF) as Claimant in a UNCITRAL arbitration against the Republic of Hungary. The dispute arose from termination of the Power Purchase Agreements put in place during the privatisation of the electricity sector. The claims were brought under the Energy Charter Treaty and the arbitration was considered in accordance with UNCITRAL rules.

Ilija is featured in *Who's Who Legal* since 2020 which hails him as “one of the most outstanding legal minds of his generation”, someone who “knows the cases inside out”, and a “truly remarkable’ arbitration lawyer who has an impressive ability to manage very complex cases and to develop strategy”. One client notes “I was most impressed with the depth of Mr Mitrev Penusliski’s knowledge across various areas of public international law”.

### Admissions

- New York

### Languages

- English
- French
- Macedonian
- Serbian
- Croatian

### Education

- LLM, Harvard Law School
- Magister Juris, University of Oxford
- LLB, Ss Cyril and Methodius University, Skopje

### Publications and Speaking Engagements

#### Publications

- Co-author “Beneath The Roubles: The Natural Gas Disputes Set To Emerge In Europe”, Lawyer Monthly (May 2022)

#### Speaking engagements

- “Arbitration for Business: Practical Aspects’, TGS Baltic and Vienna International Arbitral Centre of the Austrian Federal Economic Chamber (VIAC) (June 2023)
- “Connecting the dots: CEE/SEE in focus”, and Ilija spoke on a panel on “Investment arbitration in CEE / SEE – new opportunities – can VIAC’s investment rules fill the gap?”, the inaugural Congress of VIAC Ambassadors (February 2023)
- “Corruption Allegations in International Arbitration”, CLDP conference (February 2023)
- “ECT Modernization and Energy Transition in the Western Balkans: What lies ahead?” panel, 8<sup>th</sup> Sarajevo Arbitration Day (November 2022)
- “Compliance with Investment Awards” webinar, Delos Dispute Resolution (December 2021)
- “Compensation Claims by States and State Entities in Commercial and Investment Arbitrations” panel, Paris Arbitration Week (September 2021)
- “Investment protection in times of climate change: the future of the Energy Charter Treaty” panel, Luxembourg Arbitration Day 2021 (June 2021)
- Moderator, “Panel V: Legitimacy of International Arbitration” at “Business and Arbitration in an Era of Globalization: Challenges and Perspectives” conference (May 2021)

# THREE CROWNS