

## Manuel Casas

CALL: 2012 (VENEZUELA); 2016 (NEW YORK); 2020 (ENGLAND AND WALES)

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Languages: Spanish (native); Portuguese (fluent); French (proficient)



### Overview

Manuel has a broad and busy practice, focusing on public international law, international arbitration (including enforcement and challenges before domestic courts), and commercial law.

His commercial practice covers energy and natural resources, civil fraud, commodities and international trade, conflicts of laws, and shareholder/company disputes, and his international practice covers inter-State disputes, international arbitrations (both commercial and investment), as well as international law issues before domestic courts.

Most of Manuel's work has an international element. In addition to the UK, Manuel has acted or advised in matters in more than twenty different jurisdictions (including the United States, Russia, Singapore, the UAE, and a good part of Latin America), in four different languages. Given his background and experience, Manuel has extensively dealt with complex, high-risk jurisdictions, and disputes involving allegations of fraud, corruption, and deception.

Manuel enjoys working as sole counsel or as part of a team. His experience working across a variety of legal cultures helps him bring a practical, down-to-earth, and team-oriented approach to his cases.

Before joining Chambers, Manuel spent many years at WilmerHale in London, first as senior associate and then as counsel, where he specialised in international arbitration and public international law. Prior to that, he worked as a judicial fellow (judicial assistant) at the International Court of Justice in The Hague. Manuel initially qualified as a lawyer in Venezuela, where he practised commercial and

### Publications

- 'A Contentious Toll', *EJIL:TALK!* (5 October 2023).
- '40 Under 40 International Arbitration', *Arbitral Tribunals and Judicial Review of Legislation*, (Carlos González-Bueno, ed, 2021)
- 'What Makes an Excellent International Arbitration Lawyer (co-authored)', *Surviving in the Field of International Arbitration: War Stories and Lessons Learned* (de la Jara, Arroyo, Award, eds; 2020)
- 'Jurisdictional Consequences of Withdrawal from the ICSID Convention', *Max Planck Encyclopedia of International Procedural Law*
- 'Shelter from the Storm? The International Legality of Granting Migratory Rights to Hong Kongers', *EJIL: Talk!* (9 July 2020)
- 'Denunciation of the ICSID Convention', *Jus Mundi Wiki Notes* (23 June 2020)
- Book Review: 'The Cambridge Handbook of Immunities and International Law', (2020) 37(1), *Journal of International*

public law litigation for several years.

For several years, he has been recognised by Who's Who Legal as a Future Leader in International Arbitration and was included by The Legal 500 in the 2022 and 2023 Arbitration Powerlist.

Additionally, Manuel is committed to pro bono work, with a particular emphasis on migratory issues and freedom of expression. Manuel worked as a volunteer in the Colombian-Venezuelan border and has acted in freedom of expression cases before the European Court of Human Rights.

Manuel studied law at UCAB Law School in Caracas (graduating *summa cum laude* and first in his class) and at the Yale Law School, where he obtained a masters and doctorate in international law, for which he obtained the Ambrose Gherini prize for best written work in the field of international law.

## Arbitration

- 'Functional Justiciability and the Existence of a Dispute: A Case of Jurisdictional Avoidance?', (2019), 10(4), *Journal of International Dispute Settlement*
- 'When the Bell Doesn't Save You: Favianca and Jurisdiction After ICSID Denunciation', *Kluwer Arbitration Blog* (4 January 2018)
- 'Nationalities of Convenience, Personal Jurisdiction, and Access to Investor-State Dispute Settlement' (2016), 49(1), *NYU Journal of International Law and Politics*
- '*Granier v Venezuela*: Deviation of Power and Media Pluralism' (2016) 110(1), *American Journal of International Law*
- 'Arbitraje de inversión y el riesgo de alternativas no-institucionales: el posible retorno de la protección diplomática e incentivos para la corrupción (Investment arbitration and the risk of non-institutional alternatives: the potential return of diplomatic protection)', *Revista Latinoamericana de Derecho Internacional*
- 'Abuso de derecho y arbitraje de inversión: soluciones de derecho internacional privado (Abuse of rights and investor-state arbitration: private international law solutions)' (2016) 9(2), *Arbitraje: Reviste de arbitraje comercial y de inversion*

## Professional memberships

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- American Society of International Law
- Spanish and Iberoamerican Arbitration Club
- Young ICCA
- LCIA YIAG

## Education

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- Yale Law School: Doctorate (JSD) in Public International Law (2023); Ambrose Gherini prize for best work on international law.
- Yale Law School: LLM in international law (2015); William T. Ketcham prize in conflicts of law; honours in all graded subjects.
- Universidad Católica Andrés Bello: LLM in public law (2014); *summa cum laude*.
- American University, Washington College of Law: Diploma in International Human Rights Law (2012).
- Universidad Católica Andrés Bello: Abogado (LLB) (2014); *summa cum laude*, valedictorian.

## Example cases

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- Advising the UK Government in relation to its dispute with the European Union concerning the implementation of the Trade and Cooperation Agreement (with Hugh Mercer KC, Penelope Nevill and Stephen Donnelly).
- Acting for the Republic of the Marshall Islands in *The M/T "Heroic Idun" (No. 2) Case (Marshall Islands/Equatorial Guinea)* (with Sir Daniel Bethlehem KC, Penelope Nevill, Paolo Busco and Courtney Grafton).
- Advised and acted for the Guaidó Board of the Central Bank of Venezuela in proceedings for control of Venezuela's gold reserves at the Bank of England (with Andrew Fulton KC and Mark Tushingham).
- Acting for a company in an international conspiracy claim related to the Steinhoff accounting fraud (with Andrew Ayres KC), listed for a 7-week trial before the High Court in mid-2024.
- Acting for the tenth defendant in a \$300m commodities financing fraud dispute: *ED&F Man Capital Markets v Come Harvest Holdings Ltd* [2022] EWHC 229 (Comm) and [2022] EWCA Civ 1704 (with David Lewis KC and Andrew Dinsmore).
- Acting for Gunvor in a claim before the High Court regarding unpaid VAT arising from the sale of diesel in the EU (as sole counsel).
- Acting for an international mining company in an ad hoc arbitration regarding the construction of an LNG facility at a mining project in Latin America.
- Acting for an international energy joint venture in a SIAC arbitration regarding the supply of industrial equipment for the construction of an LNG processing facility.
- Acted for a company in an anti-suit injunction application before the High Court in relation to an LCIA arbitration clause and the jurisdiction of Dutch courts (with Paul Lowenstein KC).
- Acting for a state-owned company in arbitration proceedings (UNCITRAL Rules) in a shareholder dispute concerning one of the largest mines in Africa (with Michael Ashcroft KC and Malcolm Jarvis).
- Acting for an oil trading company in an arbitration (LCIA Rules) regarding In-Tank Transfers (with Oli Caplin).
- Acted for several journalists in claims before the European Court of Human Rights for violation of their physical integrity and right to freedom of expression.\*
- Acted for a Latin American metallurgical company in an investment arbitration under ICSID Rules against Venezuela for the expropriation of its assets.\*

\* work done before transferring to the Bar.

## Public international law

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- Acting for the Republic of the Marshall Islands in *The M/T "Heroic Idun" (No. 2) Case (Marshall Islands/Equatorial Guinea)* (with Sir Daniel Bethlehem KC, Penelope Nevill, Paolo Busco and Courtney Grafton).
- Advised the UK Government in relation to the Trade and Cooperation Agreement (with Hugh Mercer KC, Penelope Nevill and Stephen Donnelly).
- Advised and acted for the "Guaidó Board" of the Central Bank of Venezuela in proceedings for control of Venezuela's gold reserves at the Bank of England (with Andrew Fulton KC and Mark Tushingham), a case involving the Act of State doctrine, the One Voice principle, and the recognition of states and governments.

During Manuel's time as a judicial fellow at the ICJ he assisted H.E. Judge Julia Sebutinde in the following cases:

- Alleged violations of sovereignty rights and maritime spaces in the Caribbean Sea (*Nicaragua v Colombia*).
- Maritime delimitation in the Indian ocean (*Somalia v Kenya*).
- Certain activities carried out by Nicaragua in the border area (*Costa Rica v Nicaragua*).
- Maritime delimitation in the Caribbean Sea and the Pacific Ocean (*Costa Rica v Nicaragua*).
- Territorial and Maritime Dispute (*Nicaragua v Colombia*).
- Construction of a road in Costa Rica along the San Juan River (*Nicaragua v Costa Rica*).
- Obligations concerning negotiations relating to cessation of the Nuclear Arms Race and to nuclear disarmament (*Marshall Islands v United Kingdom*).

- Obligations concerning negotiations relating to cessation of the Nuclear Arms Race and to nuclear disarmament (*Marshall Islands v India*).
- Obligations concerning negotiations relating to cessation of the Nuclear Arms Race and to nuclear disarmament (*Marshall Islands v Pakistan*).

## Investment arbitration

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- Advised a Turkish company regarding the recognition and enforcement of an investment-treaty award in the UK.
- *Merck Sharpe & Dohme (I.A.) Corporation v Ecuador*, PCA Case No. 2012-10: acted for Merck in an investment treaty arbitration against Ecuador for claims of denial of justice (UNCITRAL Rules).\*
- *GRAND EXPRESS Non-Public Joint Stock Company v Republic of Belarus* (ICSID Case No. ARB(AF)/18/1), acted for GRAND EXPRESS in an investment arbitration against Belarus arising from the expropriation of its investment in a rail manufacturing plant (ICSID Additional Facility Rules).\*
- Advised a Latin American mining company in a potential claim against the United States arising from the revocation of a mining permit (US-Chile FTA).\*
- Advised a financial services group regarding potential claims against a state in the Balkans regarding the indirect expropriation of their business (several bilateral investment treaties).\*
- Advised a Middle Eastern investor in the chemical industry against a Middle Eastern state for denial of justice (OIC Treaty).\*
- *Tenaris S.A. and Talta Trading e Marketing Sociedade Unipessoal Lda. v Venezuela*, ICSID Case No. ARB/11/26, acted for a Latin American metallurgical company in an investment arbitration under ICSID Rules against Venezuela for the expropriation of its assets (as local counsel).\*
- *Gambrinus Corp. v Venezuela*, (ICSID Case No. ARB/11/31): acted for Gambrinus in an investment arbitration regarding the expropriation of its fertilizer plant in Venezuela (as local counsel).\*

## Human rights and sanctions

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- Acted for several journalists in claims before the European Court of Human Rights for violation of their physical integrity and right to freedom of expression.\*
- Advised an African NGO regarding issues of sovereignty, self-determination, and secession.
- Advised the UK Government on sanctions issues in relation to the war in Ukraine.

## International arbitration

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- Acting for a shareholder of a mining company in an arbitration over the control of the company and licences in Eastern Siberia (LCIA Rules) (with Andrew Fulton KC).
- Acting for an international mining company in an ad hoc arbitration regarding the construction of an LNG facility at a mining project in Latin America.
- Acting for an international energy joint venture in a SIAC arbitration regarding the supply of industrial equipment for the construction of an LNG processing facility.
- Acted for a company in an anti-suit injunction application before the High Court in relation to an LCIA arbitration clause and the jurisdiction of Dutch courts (with Paul Lowenstein KC).
- Acting for a state-owned company in arbitration proceedings (UNCITRAL Rules) in a shareholder dispute concerning one of the largest mines in Africa (with Michael Ashcroft KC and Malcolm Jarvis).
- Acting for a mining company in an arbitration (ICC Rules) regarding a facility agreement (with Andrew Fulton KC).
- Advised a Turkish company regarding the recognition and enforcement of an investment-treaty award in the UK.
- Acting for an oil trading company in an arbitration (LCIA Rules) regarding In-Tank Transfers (with Oli Caplin).
- Acting for a pharmaceutical company in an arbitration (LCIA Rules) regarding the sale of COVID-19 antigen tests (with Oli Caplin).
- Acting for a contractor in an offshore gas exploration dispute in the Mediterranean (ICC Rules, Swiss law).
- Acted for a US private equity firm in two commercial arbitrations against another US private equity company in a post-M&A dispute involving claims of corruption (ICC Rules, Brazilian law).\*

- Represented Paper Excellence in a multi-billion dollar shareholders dispute with a Latin American party in relation to the *El Dorado* pulp and paper plant (ICC Rules, Brazilian law).\*
- Acted for a Latin American biotech company in a commercial arbitration against a European technology company for contractual fraud and design defects for renewable energy technology (ICC Rules, English law).\*
- Acted for an oil contractor in relation to an oil field services contract in Iraq (ICC Rules, English law).\*

## Energy and infrastructure

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- Acting for Gunvor in a claim before the High Court regarding unpaid VAT arising from the sale of diesel in the EU (as sole counsel).
- Acting for an international mining company in an ad hoc arbitration regarding the construction of an LNG facility at a mining project in Latin America.
- Advising a Canadian mining company in relation to the decommissioning of a gold mine in South America.
- Acting for an international energy joint venture in a SIAC arbitration regarding the supply of industrial equipment for the construction of an LNG processing facility.
- Acting for a state-owned company in arbitration proceedings (UNCITRAL Rules) in a shareholder dispute concerning one of the largest mines in Africa (with Michael Ashcroft KC and Malcolm Jarvis).
- Acting for a mining company in an arbitration (ICC Rules) regarding a facility agreement (with Andrew Fulton KC).
- Acting for an oil trading company in an arbitration (LCIA Rules) regarding In-Tank Transfers (with Oli Caplin).
- Acting for a contractor in an offshore gas exploration dispute in the Mediterranean (ICC Rules, Swiss law).
- Advising the shareholders of a mining company in relation to potential claims regarding the withdrawal of a concession in an African state.
- Acted for an oil contractor in relation to an oil field services contract in Iraq (ICC, English law).\*
- Represented Paper Excellence in a multi-billion dollar shareholders dispute with a Latin American party in relation to the *El Dorado* pulp and paper plant (ICC Rules, Brazilian law).\*
- Acted for a Latin American biotech company in a commercial arbitration against a European technology company for contractual fraud and design defects for renewable energy technology (ICC Rules, English law).\*
- *GRAND EXPRESS Non-Public Joint Stock Company v. Republic of Belarus* (ICSID Case No. ARB(AF)/18/1), acted for GRAND EXPRESS in an investment arbitration against Belarus arising from the expropriation of its investment in a rail manufacturing plant (ICSID Additional Facility Rules).\*
- Advised a Latin American mining company in a potential claim against the United States arising from the revocation of a mining permit (US-Chile FTA).\*

## Civil fraud

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- Acting for the tenth defendant in a \$300 million commodities financing fraud dispute: *ED&F Man Capital Markets v Come Harvest Holdings Ltd* [2022] EWHC 229 (Comm) and [2022] EWCA Civ 1704 (with David Lewis KC and Andrew Dinsmore).
- Acting for a company in an international conspiracy claim related to the Steinhoff accounting fraud (with Andrew Ayres KC), listed for a 7 week trial before the High Court in mid-2024.
- Acting for a defrauded company in obtaining *Norwich Pharmacal* relief (as sole counsel).
- Acting for a German agricultural products company in a fraud claim against an English individual (as sole counsel).
- Acting for an individual in a claim regarding property investment fraud (with Andrew Fulton KC).

## Company

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- Acting for the shareholder of a financial services company before the Courts of the Abu Dhabi Global Market in a post M&A dispute regarding the payment of the purchase price. (as sole counsel).
- Acting for a shareholder of a mining company in an arbitration over the control of the company and licences in Eastern Siberia (LCIA Rules) (with Andrew Fulton KC).
- Acting for a State-owned company in arbitration proceedings (UNCITRAL Rules) in a shareholder dispute concerning one of the largest mines in Africa (with Michael Ashcroft KC and Malcolm Jarvis)

- Advised a Cypriot entity in relation to a potential claim of unfair prejudice claim in the context of an ongoing arbitration (LCIA Rules, Cypriot and English law).
- Represented Paper Excellence in a multi-billion dollar shareholders dispute with a Latin American party in relation to the *El Dorado* pulp and paper plant (ICC Rules, Brazilian law).\*
- Acted for a US private equity firm in two commercial arbitrations against another US private equity company in a post-M&A dispute involving claims of corruption (ICC Rules, Brazilian law).\*

\* work done before transferring to the Bar.

## Commodities and shipping

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- Acting for the tenth defendant in a \$300 million commodities financing fraud dispute: *ED&F Man Capital Markets v Come Harvest Holdings Ltd* [2022] EWHC 229 (Comm) and [2022] EWCA Civ 1704 (with David Lewis KC and Andrew Dinsmore).
- Acting for an UAE company in an arbitration (LMAA Rules) regarding the supply of phosphate rocks.
- Acting for Gunvor in a claim before the High Court regarding unpaid VAT arising from the sale of diesel in the EU (as sole counsel).
- Acting for a mining company in an arbitration (ICC Rules) regarding a facility agreement (with Andrew Fulton KC).
- Acting for an oil trading company in an arbitration (LCIA Rules) regarding In-Tank Transfers (with Oli Caplin).
- Acting for a pharmaceutical company in an arbitration (LCIA Rules) regarding the sale of COVID-19 antigen tests (with Oli Caplin).
- Acting for a steelmaking company in a commodities financing dispute (with Michael Collett KC).

## Recommendations

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Manuel's international law expertise is first class. He has a deep understanding of the subject matter and is strong on strategy and tactics. He is also very personable and pleasant to deal with. [The Legal 500 UK Bar 2024](#)

A fantastic attorney with a brilliant mind and exceptional skills. [Who's Who Legal Arbitration Future Leaders - Non-Partners 2022](#)

He possesses 'a remarkable understanding of public international law'. [Who's Who Legal Arbitration Future Leaders - Non-Partners 2022](#)