



## **RASHID SULTAN**

Head | JuristiQ Chambers

Commodities & International Trade  
Construction & Infrastructure Projects  
Corporate & Commercial Litigation  
Energy & Natural Resources  
Judicial Review  
International Commercial & Investment  
Arbitration

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### Qualifications

- LL.M. (International Arbitration & Dispute Resolution), National University of Singapore, Singapore (2019-2020)
- LL. M. (International Dispute Settlement), University of Geneva and Graduate Institute of International & Development Studies, Geneva, Switzerland (2018-2019)
- LL.B., University of the Punjab, Lahore, Pakistan (2005-2008)
- B.A. (Economics & Journalism), University of the Punjab, Lahore, Pakistan (2003-2005)
- Advocate, Pakistan (2009)
- Advocate, High Court, Pakistani (2011)
- Foreign Lawyer, Singapore (2020-2024)

### Profile

Rashid is an advocate licensed to practice in Pakistan with fifteen year experience of representing clients before courts and arbitral tribunals in high profile and factually and legally complex civil, corporate and commercial disputes in multiple sectors including commodities and international trade, construction, industrial manufacturing, energy including electricity, oil & gas, liquified natural gas, telecommunication, transport, and shipping.

He has acted in several cross-border contractual disputes governed by the English, Singapore, Indian, and Pakistani law in ad-hoc and institutional arbitration cases governed by the SIAC, ICC, and UNCITRAL Arbitration Rules.

He frequently advise clients on international investment agreements and the recognition and enforcement of foreign arbitral awards under the New York Convention.

### Experience

- April 2024 – Present – (Head) JuristiQ Chambers, Pakistan
- March 2020 – March 2024 – (Foreign Counsel) Rajah & Tann Singapore LLP, Singapore
- November 2016 – August 2018 – (Legal Advisor) Ministry of Energy (Petroleum Division), Government of Pakistan
- Jan-Oct 2016 (Counsel) Legum Nexis, Pakistan
- July 2011 – December 2015 – (Senior Associate) Hafeez Pirzada Law Associates, Pakistan
- July 2009 – June 2010 – (Associate) Zaidi Law Associates, Pakistan
- October 2008 – March 2009 – (Pupillage) Sheikh Iftexhar Law Associates, Pakistan

### Memberships/Directorships

- Member, Lahore High Court, Rawalpindi Bench Bar Association (2011)

- Member, Rawalpindi District Bar Association (2009)

#### Ongoing Retainer

- The Embassy of Japan, Islamabad (Pakistan)
- All Pakistan Tenured Track Faculty Association

#### Notable Litigation & Arbitration Matters

##### Investment Treaty Arbitration

- Served as co-counsel for Pakistan in two investment arbitration cases, involving claims exceeding US\$ 570 million brought by the British and Mauritian shareholders in a Pakistani entity operating in the LPG sector.
- Assisted in representing an Asian Government before the Singapore High Court, successfully resisting the enforcement of a significant investment treaty award.

##### Commercial Litigation and Arbitration

- Acted for a leading Austrian petroleum company before the Islamabad High Court in proceedings challenging the unitisation of two adjacent gas fields governed by the 2001 and 2009 Petroleum Rules.
- Acted for the Privatization Commission before Islamabad High Court in suit to recover over Rs.300 million as loss resulting from the default of the highest bidder during the privatisation of government shares in Pak-American Fertilizer Limited.
- Acted for the Government of Pakistan in a domestic arbitration concerning the interpretation and application of the natural gas price formula in the concession agreement formulated under the 2001 Petroleum Policy.
- Acted for an Indian steel manufacturer in a Singapore-seated SIAC arbitration against claims for losses for early termination and demurrage charges under the two contracts of affreightment for shipment of coking coal.

- Acted for a Pakistani seller in a dispute about cargo shortage, delay, and force majeure regarding shipment from the Port Qasim.

- Acted for the Government of Pakistan in a high court proceeding in a dispute concerning the natural gas price incentives over incremental production under the 2012 Petroleum Policy.

- Acted for a Korean company in a Singapore-seated ICC arbitration involving a joint venture dispute relating to patent rights, breaches, and termination of a joint venture agreement for research, development, and commercialisation of dry slag granulation technologies.

- Acted for an Indian steel manufacturer in a Singapore-seated SIAC arbitration, resisting the recovery of a sum advanced to an intermediary financier of a letter of credit relating to a coal sale agreement. The transaction was undertaken during the corporate insolvency resolution process under the Indian Insolvency and Bankruptcy Code, 2016.

- Acted for a Cambodian operator and manager of a special economic zone in a Singapore-seated SIAC arbitration concerning a joint venture dispute involving the revision of the electricity tariff of a jointly owned and operated power plant by the Electricity Authority of Cambodia.

- Assisted the English KC in representing the State Trading Corporation of Mauritius in an appeal before the Privy Council against the decision of the Supreme Court of Mauritius involving a challenge to an award on public policy grounds.

- Acted for a Chinese defence contractor in a Singapore-seated SIAC arbitration concerning a dispute over the termination of a contract for the sale of THSCAN Non-Intrusive Vehicle X-ray Inspection System & Explosive Detectors.

- Acted for the Government of Pakistan in multiple high court proceedings concerning

windfall levy on crude oil/condensate under the 2012 Petroleum Policy on companies converted from the 1994 Petroleum Policy to the 2012 Petroleum Policy for new exploratory efforts.

- Acted for a seamless pipe manufacturer in two Pakistan-seated ad-hoc arbitration matters involving termination of the sale agreements, imposition of liquidated damages, encashment of bank guarantees on account of default and delays in the supply of pipes for a natural gas field development project.
- Acted for a Pakistani public sports trust against a UK investment company in a high court proceeding to enforce a foreign award of damages for breach of contract for advertising Pakistan Hero Card in SAF national games.
- Acted for a Pakistani joint venture in a multiple jurisdiction litigation concerning breach of pre-emption rights and elections of directors in violation of the Companies Ordinance, 1984 and the Shareholders Agreement.

#### Construction Litigation and Arbitration

- Acted for a Malaysian contractor in a Singapore-seated SIAC arbitration defending claims for over S\$ 100 million under FIDIC Yellow Book 1999 Ed. for large-scale defects to houses and public infrastructure caused by heave and ground settlement.
- Acted for a contractor in a litigation involving claims under FIDIC Red Book 1987 Ed. for recovery of amounts under variations, labour escalation, extension of time, delay in the release of performance guarantee and retention money regarding the construction of a large hospital.
- Acted for an Indian sub-contractor in a claim by the main contractor for the construction of a power project involving changes in the design of the foundation of boilers and related works. Also acted before an emergency arbitrator to obtain a stay against encashment of bank guarantee.

#### Notable Advisory Matters

- Advised a Malaysian contractor on the scope and application of an indemnity clause in a Consultancy Agreement for the provision of design and construction supervision services in relation to the development of a large housing project in Brunei Darussalam under FIDIC Yellow Book 1999 Ed.
- Advised a Pakistani electricity generation company on certain disputes with joint venture partners and syndicate lenders in relation to the achievement of the Project Completion Date.
- Advised a Chinese E&P company in relation to an extension of time for the performance of minimum work commitment under the petroleum concession agreement for an onshore block in Pakistan.
- Advised an Indian subcontractor in relation to disputes with the main contractor relating to the changes in the foundation design of boilers for a power project and claims for the time and costs.
- Advised a European company in relation to the part payment and termination of an international donor's sponsored REDD+ research project in Thailand.
- Advised non-operating working interest owners in relation to its contribution towards compensation by the Operator regarding loss of life and property due to a fire accident at the oil field. The issue also involved the scope of duties and the standard of care of the Operator under the Joint Operating Agreement.
- Advised an allegedly defaulting working interest owner in relation to the assignment of working interest following forfeiture due to default on cash calls under the Joint Operating Agreement. The issue also involved the validity of the approval of the annual budget and work programme.
- Advised a power plant developer on a take-or-pay clause relating to a potential dispute involving delays in the construction of a power plant failing to take gas by the first delivery date under the Gas Sales Agreement with a public utility.

- Advised the Government of Pakistan on potential liquidated damages due to default in constructing a gas pipeline by the first delivery date. Economic sanctions against the counterparty hindered the financing of the transnational gas pipeline project.

#### Training and Workshop

- Speaker at a Training organised by a non-governmental organisation for Indian Law students. I spoke about “Claims under Construction Contracts” and “Applicable laws in international arbitration”.
- Speaker at a workshop on dispute resolution mechanisms for CPEC projects. I spoke about “multi-tier dispute resolution clauses in international contracts”.

#### Teaching

- Visiting Associate Professor (University of Chakwal) – Courses (Arbitration Law, and Alternative Dispute Resolution)
- Visiting Faculty (School of Management Sciences, Quaid-e-Azam University) – Courses (Administrative Law and Accountability)
- Visiting Faculty (School of Law, Quaid-e-Azam University) – Courses (Corporate Law)

#### Languages

- English (Proficient)
- Urdu (Native)
- Punjabi (Native)
- Arabic (Basic)