

## NICOLÁS CAFFO

Nationalities: Argentinian and Italian  
Admitted to practice in Argentina since 2013  
Phone: +43 677 64127465  
E-mail: [nicolas.caffo@graduateinstitute.ch](mailto:nicolas.caffo@graduateinstitute.ch).  
[LinkedIn](#)



### PROFESSIONAL EXPERIENCE

---

#### Manager at Utopia Music, Switzerland

March 2022 - present

- Supporting Utopia in the M&A deals, with focus on the employment law related matters.

#### Senior Associate at AKG Advisory, Vienna

Oct. 2020 – March 2022

- Representing Respondent in a commercial case under the ICC Rules and governed by the law of England, regarding a shareholders' dispute.
- Represented Respondent in an expedited proceedings under the VIAC Rules and with the CISG as the applicable law, regarding a contract dispute. Secured favorable award dated 14 September 2021.
- Representing Claimant in *SREW N.V. v. Ukraine* (ICSID), regarding the building of a wind farm project.
- Representing Claimant in *IVICOM Holding GmbH v. Albania* (SCC), regarding the building of a gas power plant.

#### Associate at Knoetzl, Vienna

May 2019 – Oct. 2020

- Represented Claimant in *Casinos Austria International GmbH and Casinos Austria Aktiengesellschaft v. Argentina* (ICSID), regarding the revocation of a gaming license. Secured favorable award dated 05 November 2021.
- Arbitrator's secretary in an Emergency Arbitration under the ICC Rules, regarding a shareholders' dispute. The factual background of the case was based on the request of one of the companies for an emergency measure ordering the other to cease with immediate effect the execution of a share purchase and equity collar transaction. The consideration for the main sale was EUR 930 million and one of the companies is a listed company with a market capitalization of well over EUR 10 billion:
- Represented Claimant in a construction case under the VIAC Rules.
- Represented Respondent in a construction case governed by the ICC Rules and a Yellow FIDIC Book based contract.

#### International Arbitration Trainee at Wilmer Hale, London

Feb. 2019 - May 2019

- Updated a chapter of a leading international commercial arbitration book. Prepared conferences and articles on, inter alia, energy arbitration in Latin America, the consequences of the Achmea decision in investment arbitration, and the UNCITRAL proposal of an Investment Permanent Court.

#### International Arbitration Trainee at Lalive, Geneva

Jul. 2018 - Dec. 2018

- Prepared an international commercial arbitration hearing held in Geneva.

#### Corporate Legal Advisor of the City of Buenos Aires Bar Association

Aug. 2014 - Sep. 2017

- Address all kind of queries regarding Corporate Law from lawyers registered in the City of Buenos Aires. Including offering counselling services in the Superintendence of Corporations about options to carry out capital increases, mergers and acquisitions, and assisting professionals in the drafting of by-laws and other corporate documents.

#### Associate at Guglielmino & Asociados, Buenos Aires (GST LLP in USA)

Aug. 2014 - Sept. 2017

- Participation in 11 investment and commercial arbitrations under the ICSID, PCA and ICC Rules.
- Selected cases:

- 1) Representing Respondent in *Blue Bank International & Trust Ltd. v. Venezuela (ICSID)*, regarding the alleged expropriation of tourism and hospitality facilities. The investment was structured via a purpose trust. Secured favorable award dated 26 April 2017.
- 2) Representing Respondent in *Manuel García Armas and others v. Venezuela (PCA under UNCITRAL Rules)*, regarding the alleged expropriation of a company from the food products sector. Second security for costs awarded in favour of the State in the history of investment arbitration cases on 20 June 2018. Secured favorable award on jurisdiction dated 13 December 2019.
- 3) Representing Respondent in *Transban Investments Corp. v. Venezuela (ICSID)*, regarding the alleged expropriation of a company from the luxury automobile import sector. Secured favorable award dated 22 November 2017.
- 4) Representing Respondent in *Fábrica de Vidrios Los Andes, C.A. and Owens-Illinois de Venezuela, C.A. v. Venezuela (ICSID)*, regarding the alleged expropriation of a glass production company. Secured favorable award on jurisdiction dated 13 November 2017.

**Associate at Pérez Alati, Grondona, Benites, Arntsen & Martínez de Hoz (h) Nov. 2009 - Jul. 2014**

- Assisted more than 40 international companies investing in Argentina on corporate law matters.
- Conducted the corporate day-to-day business of more than 40 companies, including the preparation of merger and acquisitions, update of corporate legal books, issuance of power of attorneys, drafting of board of directors and shareholders meetings, and filing of all necessary documents before the Superintendence of Corporations.

**EDUCATION / QUALIFICATIONS**

---

**Vienna International Arbitration Centre (VIAC).** Austrian Arbitration Academy 2020

**MIDS Geneva LL.M. in International Dispute Settlement** 2017 - 2018

- Awarded with a full merit-based scholarship. Topic Thesis: “*The Necessary Engagement of WTO and Investment Arbitration. The Case of the Impact of WTO Retaliation in Foreign Investors*”. Professor: Makane Moise Mbengue

**University of Buenos Aires (UBA).** 2004 – 2011

- Bachelor, Faculty of Law.

**AWARDS AND ACADEMIC ACHIEVEMENTS**

---

**Teaching Assistant of Prof. Gabrielle Kaufmann-Kohler** 2020 - present

- Current challenges in Investor State Dispute Settlement, LL.M., Georgetown University.
- Current challenges in Investor State Dispute Settlement, LL.M., MIDS Geneva LL.M. in International Dispute Settlement.
- Current challenges in Investor State Dispute Settlement, LL.M. and LL.B., National University of Singapore (NUS).

**Executive Committee Member of the International Trade law & Policy Course** 2022 - present

- The first edition of the course in 2022 was funded by the Inter-American Development Bank (IDB) and jointly organised by the Geneva Graduate Institute and the Argentine Ministry of Education. This program engages leading academics and practitioners to teach both traditional and cutting-edge international trade law and policy. For more information please click [here](#).

**Co-Founder and Executive Committee Member of LAIAC** 2018 - present

- The Latin American International Arbitration Course (LAIAC) is a joint initiative of the CIDS and UBA. Without similar institutions or courses in Latin America at this scale, LAIAC aims to address

the increasing demand for specialized courses in international commercial and investment arbitration. For more information, please visit [LAIAC's website](#).

#### **Board of Directors of ENERAP**

**2021 - present**

- Energy Related Arbitration Practitioners (ENERAP) is a worldwide forum that aims to promote the development of arbitration through the study of the characteristics, complexities and challenges involved in commercial and investment arbitration proceedings related to the energy sector. For more information, please visit [ENERAP's website](#).

#### **MIDS Fellow at the CIDS**

**2020- 2021**

- Collaboration in the organization of the Intensive Courses of the Geneva LL.M. in International Dispute Settlement (MIDS) Online Section. For further information please visit the [MIDS's website](#).

#### **Co-Founder of the Argentine Association of Entrepreneurs**

**April 2015 – Sep. 2017**

- [ASEA](#) is a nonprofit organization formed by and for entrepreneurs. ASEA's mission is to make Argentina a better place to start projects and business, making the start-up process more flexible and easier to carry out.

#### **UN Conference on Trade and Development (UNCTAD)**

**2015 - 2016**

- Member of the Investment Agreements mapping team of UBA.

#### **International Commercial Arbitration Moot**

**2010 - 2016**

- One of the 4 students to be awarded a merit-based scholarship by the UBA to represent it in the written submissions and oral hearings held in Bogota in 2010.
- Winner of the competition in 2016 as Coach of the team of the UBA (coach from 2012 to 2016).

#### **Teaching Assistant at University of Buenos Aires, Faculty of Law**

**2010 - 2016**

- International Commercial Arbitration class, 6th year students, UBA (Prof. María Blanca Noodt Taquela), from 2015-2016.
- International Integration Systems class, 4th year students, UBA (Prof. Sandra Negro), from 2010-2012.

#### **Foreign Direct Investment International Arbitration Moot (FDI Moot)**

**2011**

- One of 4 students to be awarded a full merit-based scholarship by UBA to represent it in the written submissions and oral hearings held in London, England. 5<sup>th</sup> place overall among 50 universities.

### **SELECTED CONFERENCES / EVENTS**

---

#### **“Substantive protections – Part 3: MFN and umbrella clauses”**

**Nov. 2021**

Speaker (closing remarks). Organized by FTI Consulting, Young MCIA and DLA Piper and held online.

#### **“2019 Alpine Seminar”**

**Oct. 2019**

Preparation of cross-examination for a mock hearing. Organized by the CEA-40 and held in Geneva, Switzerland.

#### **“Procedural Orders and Cross-Examination”**

**Feb. 2017**

Speaker. Organized by the ICC Young Arbitrators Forum and held in Miami, United States.

#### **“Conferences of International Investments, Arbitration and Development”**

**Nov. 2016**

Speaker. Organized by the School of Law of the University of Rosario and held in Santa Fe, Argentina.

#### **“The defense of Latin American States in investment arbitrations”**

**May 2014**

Speaker. Organized by the American Chamber of Commerce of Peru and held in Lima, Peru.

### **PUBLICATIONS**

---

Contribution to the update of "Chapter 17" of Gary Born's seminal book on [International Commercial Arbitration](#) (Kluwer Arbitration, 3<sup>rd</sup> ed., 2021).

["Newsletter No. 3"](#) (Observatory of International Arbitration and Foreign Investment law of the University of Buenos Aires, 2021).

["Practical Issues of Cross Examination in Investment Arbitrations"](#) (author, Young Arbitration Review, vol. 24, January 2017).

"New investment arbitration center at UNASUR" (co-author, La Ley, December 2013).

## LANGUAGES

---

**Spanish:** native speaker. **English:** fluent. **French:** basic.