ArentFox Schiff LLP
Attorneys

Timothy J. Feighery

PARTNER

Tim is a partner in our Washington, DC office and a member of the firm's International Arbitration & Dispute Resolution practice.



Practices

Communications & Technology
Complex Litigation
Government Contracts
Government Relations
International Arbitration & Dispute Resolution
International Trade & Investment

International

Latin America
Europe
Asia
Africa

Education

Fordham University School of Law, JD, 1987
Fordham University, BA, 1984

Offices

Washington, DC

Phone

202.857.6085

Email

Timothy.Feighery@afslaw.com

Tim's practice focuses on international arbitration, international claims, and dispute resolution work, including the representation of sovereign states, investors, and private parties in international commercial transactions. Current active matters include: representation of an African government in two ICSID arbitrations, representation of a south-east Asian government in an ICC arbitration; representation of an investor against Mexico in an ICSID arbitration under the NAFTA; representation of a Chinese investor in an ICSID telecom dispute against Cambodia in the first arbitration brought under the ASEAN-China Agreement. Tim is a member of ICSID's Panel of Arbitrators and Mediators, WIPO's List of Neutrals, and KCAB Panel of Arbitrators. He currently serves as President of the *ad hoc* Committee for the annulment proceeding in *OperaFund Eco-Invest SICAV PLC and Schwab Holding AG v. Kingdom of Spain* (ICSID Case No. ARB/15/36), and as an *ad hoc* Committee Member for the annulment proceeding in *Cube Infrastructure Fund SICAV and others v. Kingdom of Spain* (ICSID Case No. ARB/15/20).

Previous Work

Prior to joining ArentFox Schiff, Tim served as Chairman of the United States Foreign Claims Settlement Commission upon Presidential nomination and confirmation by the US Senate. Previous to his appointment, Tim held various senior-level positions in the State Department office responsible for defending United States' interests internationally in the areas of state-to-state arbitration, investor-state arbitrations, US citizen foreign investment disputes, and international claims mechanisms. He managed the defense of claims in excess of $55 billion before the Iran-US Claims Tribunal in The Hague under modified UNCITRAL rules. Additionally, Tim assisted in the representation of the United States in state-to-state treaty claims and bilateral investment treaty claims.

From 2003 to 2004, Tim served as a Deputy Special Master for the September 11th Victim Compensation Fund of 2001 where he presided over more than 90 hearings. Prior to that Tim worked for the United Nations, serving as Chief of Section of the Legal Services Branch of the UN Compensation Commission in Geneva, where he was responsible for corporation claims for losses arising out of Iraq's 1990 invasion and occupation of Kuwait.

Tim has also worked in private practice in New York, Brussels, and Washington DC.

Professional Activities

Tim is an active member of the American Society of International Law, the International Bar Association, the New York State Bar Association, and the American Bar Association, where he served as co-vice chair of the Committee on International Courts. Tim is also an adjunct professor of international law at George Mason University School of Law.

Publications, Presentations & Recognitions

Publications

Tim's publications include:

- *Investor-State Arbitration and Human Rights,* 21 Vand. J. Ent. & Tech. L. 417 (2018)
- *Designing Compensation After Upheaval: Insights from the Experience of the United Nations Compensation Commission*, Oxford University Press (T. Feighery, C. Gibson & T. Rajah, Eds.), (2015)
- *Rule of Law, Investment Treaties and Developing States*, Southwestern Journal of International Law, (publication date Fall 2015)
- "In Search of a Roadmap – Lessons for the ISDS Regime in the U.S. Experience of Lump-Sum Claims Settlement Processes," *Transnational Dispute Management*, Vol. 11, Issue 1 (January 2014)
- "The Calculation of Damages in International Law," *2012 Annual Investigative & Forensic Accounting Conference*, Canadian Institute of Charted Accountants (October 2012)
- "The Work of the Foreign Claims Settlement Commission," Presentation at *25th Annual Sokol Colloquium*, University of Virginia School of Law (April 2012)
- "Courts, Commissions and the Complexity of Claims Against States," *106th Annual Meeting of the American Society of International Law*, Panel Member (March 2012)
- *The United Nations Compensation Commission* in *The Rules, Practice and Jurisprudence of International Courts and Tribunals*, Martinus Nijhoff (C. Giorgetti, Ed.) (2012)
- Contributor, "2008 Year In Review: ABA International Law Section, Committee on International Courts," (2009)
- Contributor, "2007 Year In Review: ABA International Law Section, Committee on International Courts," 42 International Lawyer 435 (2008)
- *Assessing the Costs of Iraq's 1990 Invasion and Occupation of Kuwait – The United Nations Compensation Commission*, Refugee Survey Quarterly 22 (4):87-104 (2003)
- Book Reviews: *ICSID Review, Foreign Investment Law Journal,* Vol. 16, No. 1 (Spring 2001) and Vol. 17, No. 1 (Spring 2002)

Presentations

Tim's presentations include:

- Speaker, Balkan Arbitration Conference 2022, "Preparing for ISDS Claims"
- Speaker, Washington Arbitration Week 2022, "The role of external counsel in assisting developing countries in ISDS cases"
- Speaker, "Updates on Dispute Resolution Under USMCA, " ArentFox Schiff and Sánchez Devanny Webinar, September 2020

Bar Admissions

District of Columbia

Court Admissions

Supreme Court of the United States