

CHARLES MARQUAND, FCI Arb., Chartered Arbitrator



‘He has an outstanding memory for technical detail, and is also very commercial in his approach.’ – Legal 500 2022

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Introduction

Charles Marquand was called to the Bar of England & Wales in 1987. He is also a member of the French Bar (Paris) and practises in both jurisdictions. He is resident in France and a fluent French speaker.

He has been sitting as an arbitrator for over 20 years. Charles Marquand has been a Fellow of the Chartered Institute of Arbitrators since 1998 and a Chartered Arbitrator since 2011.

He is on the arbitral panels and databases of the following organisations:

- Chartered Institute of Arbitrators
- ICC
- London Metal Exchange
- Minor Metals Trade Association
- Mumbai Centre for International Arbitration

Charles Marquand has acted as an arbitrator in a wide variety of commercial disputes, usually with an international dimension. He has sat as part of an arbitral tribunal and also as sole arbitrator. He has extensive experience of all aspects of the arbitral process, from the initiation of proceedings and interlocutory applications, to the giving of preliminary awards on jurisdiction and final awards on the merits.

Experience

His international arbitration experience includes the following:

- Sitting as member of a panel on an arbitration concerning a dispute between a German entity and a Chinese entity over a metals dealing contract worth approximately US\$6 million. The arbitration raised issues of English and Chinese law, including contract law, company law and the law of agency.

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- Sitting as member of a panel on an arbitration concerning a dispute between a BVI entity and a Ukrainian entity over the sale of a Ukrainian smelter and metals contracts worth approximately US\$5 million. The arbitration raised issues of English and Ukrainian law, including contract law, company law, breach of directors' duties, and civil fraud.
- Sitting as member of a panel on an arbitration concerning a dispute between a US entity and a Serbian entity arising under metals contracts worth approximately US\$3 million.
- Sitting as a member of a panel on an arbitration concerning a Swiss entity and a Mongolian entity arising under contracts for delivery of metals worth approximately US\$30 million
- Sitting as a member of a panel on an arbitration concerning a Hong Kong entity and a Mongolian entity over metals contracts worth approximately US\$100 million. The arbitration raised issues of issues English and Mongolian law, including contract law and company law.
- Sitting as a sole arbitrator on an arbitration concerning a dispute between a British entity and a Chinese entity over contracts for the delivery of specialist metals worth approximately US\$1 million.
- Sitting as a sole arbitrator on an arbitration concerning a dispute between an Estonian entity and a US entity over contracts for the delivery of specialist metal. The arbitration raised issues of the interpretation and application of INCOTERMS, certificates of quality and allegations of fraud.
- Sitting as a sole arbitrator on an arbitration concerning a dispute between a British entity and a Russian entity over contracts for the delivery of a specialist metal.
- Sitting as a sole arbitrator on an arbitration concerning a dispute between a German entity and a US entity over contracts for the delivery of a specialist metal. The arbitration raised preliminary issues of the jurisdiction of the arbitral tribunal, complex issues of contract law and the calculation of damages.
- Sitting as a member of a panel concerning a dispute between a US hotel chain and a French hotel chain over hotel management contracts worth approximately US\$5 million.

Practice as a barrister

Charles Marquand has particular expertise as a barrister in financial services and investment related matters. He was formerly a legal adviser at HM Treasury, dealing with financial services and company law issues, including the negotiation and implementation of the EU directives and the drafting of UK legislation. He was one of the principal Treasury lawyers involved with the development of the UK's first dematerialised securities settlement system, CREST (now Euroclear UK & Ireland, one of the most advanced settlement systems in the

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world) for which he drafted the legal framework. He has also advised a number of overseas governments/governmental institutions on reforms relating to the financial services industry and direct investment (<https://4stonebuildings.com/barrister/charles-marquand/>)