

PCA appointment for PLMJ partner

Ben Rigby - 12 December, 2014

One of Portugal's top arbitration lawyers has been appointed as an arbitrator at the Permanent Court of Arbitration in The Hague

José Miguel Júdice, the founding partner of Portuguese law firm, **PLMJ** (<http://www.cdr-news.com//firms/plmj>), and the head of the firm's arbitration department, has been appointed to the **Permanent Court of Arbitration's** (PCA) roster of arbitrators. Júdice, who is also a member of the **International Centre for Settlement of Investment Disputes** (ICSID) roster of arbitrators and conciliators, is one of the four Portuguese nominees.

The PCA, created in 1899, is the world's oldest institute for the resolution of international disputes. It is an intergovernmental organisation of 116 member states with its seat in The Hague, in Holland. Founded as a means to resolve disputes between states (<http://www.cdr-news.co.uk/article-tags/pca/pca-decides-indus-dam-dispute>), the organisation has, in recent years, developed a more corporate focus to its work; it has built on its traditional strengths in the fields of public and private international law to meet a broader suite (<http://www.cdr-news.co.uk/article-tags/pca/5281-ringing-endorsement>) of commercial dispute resolution needs.

It is expert in resolving disputes between states, such as in territorial disputes involving the delimitation of borders; the Philippines, for example, has recently argued that its ongoing maritime dispute with China over the waters of the South China Sea should be referred to the PCA.

China has preferred to resolve such disputes bilaterally, and has rejected the PCA's involvement, saying that any resort to arbitration was a tactic aimed at putting political pressure on China, which it rejected.

The PCA broadened its area of work to cover international investment protection arbitration and commercial arbitrations under the UNCITRAL Rules, areas with which Júdice is familiar. The PCA recently supplied the secretariat to the ad hoc tribunal responsible for deciding a recent arbitration between Malaysia and

Singapore, over the taxation of development land (<http://www.cdr-news.co.uk/article-tags/pca/5271-triumph-of-the-tiger>), decided in Malaysia's favour.

Júdice was recently the president of the arbitral tribunal which, with administrative support from the PCA, settled a dispute (<http://www.cdr-news.com//categories/arbitration-and-adr/5004-bolivian-bit-arbitration-benefits-funders-and-clients-alike>) between a British company (**Rurelec**) and its US subsidiary (**Guaraccachi**) against Bolivia, resulting from the nationalisation of an electricity producing company.

That case saw **Burford Capital** help fund the cost of lawyers from **Freshfields Bruckhaus Deringer** (<http://www.cdr-news.com//firms/freshfields-bruckhaus-deringer>) to represent it at that case, while Burford Capital was assisted by **Latham & Watkins** (<http://www.cdr-news.com//firms/latham-and-watkins>) securing in a USD 26 million loan for Rurelec, against the result of the arbitration. **Dechert** (<http://www.cdr-news.com//firms/dechert>) acted for Bolivia in that claim, in which Rurelec secured a USD 31.5 million payment from that government following a four-year dispute (<http://www.cdr-news.com//categories/arbitration-and-adr/bolivia-hit-with-usd-142-million-bit-arbitration>).

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