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VERONIQUE BUEHRLLEN KC

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Areas of Practice

- Construction & Engineering
- Offshore and Marine Engineering
- Energy & Natural Resources
- International Arbitration
- Commercial Litigation
- Infrastructure & Utilities
- Insurance and Reinsurance
- Professional Negligence

Clerks' Details

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Practice Overview

Veronique Buehrlen KC has a wide-ranging commercial litigation, international arbitration and advisory practice with special emphasis on complex energy disputes, construction and engineering (both on and offshore). Her unique practice has spanned working as an International Arbitrator, Leading Counsel and Deputy High Court Judge. As Counsel, Veronique is known for her meticulous preparation of complex, highly detailed, matters requiring penetrating and determined cross examination of expert and other witnesses. As an International Arbitrator, Veronique is known for being fair, thoughtful and measured. She has a wealth of experience of the workings of the Technology and Construction Court (in which she also sits), of the Commercial Court and of various international arbitral fora. As an expert in energy construction disputes Veronique represents parties in substantial litigation. She (for instance) represented the main contractor in a € billion ICC arbitration following the suspension and subsequent termination of the South Stream gas pipeline project.

Veronique is recommended by the leading directories for her energy, construction, and international arbitration Counsel work, and as an International Arbitrator. In these guides she receives praise from those she has worked with for getting “on top of complex cases in an incredibly short time” and “working at the coal face of the dispute”. Clients appreciate her “strong commercial perspective” and forensic approach to cases, and describe Veronique as a “ferocious cross-examiner” with a “razor-sharp brain” and “laser focus on the fine detail”. Veronique was shortlisted by The Legal 500 for their prestigious “international arbitration counsel of the year” (2019) and “arbitrator of the year” awards (2022 and 2023) and by Chambers & Partners for their

International Arbitration Silk of the Year award (2023).

Veronique specialises in all aspects of energy and construction disputes including termination, suspension, rights to payment, varied work, force majeure, frustration, delay and disruption and defective works. Her experience spans the full spectrum of commercial litigation encompassing major trials, jurisdiction and applicable law disputes, preliminary issues and interim relief. She is familiar with all the standard form contracts including NEC, Logic and FIDIC.

Veronique has worked (as Counsel and International Arbitrator) on disputes arising out of projects worldwide including in (or offshore) Scotland, France, Italy, Slovakia, Kuwait, Qatar, Iraq, Algeria, Mozambique, Nigeria, Guinea, South Africa, Brazil, Indonesia, Russia and Kazakhstan.

As an International Arbitrator, Veronique sits both as Chair and Tribunal Member and receives both party and institutional appointments. Her appointments include a broad spectrum of construction and energy disputes, as well as commercial disputes in other fields (including insurance, aviation, joint ventures, sale of goods and commodities). Veronique is a fellow of the Chartered Institute of Arbitrators, a member of the ICC's Commission on Arbitration and ADR and a member of the SIAC and TECBAR Arbitrator Panels. She has experience of most institutional rules (ICC, LCIA, SIAC, UNCITRAL etc) as well as ad hoc arrangements and DABs (FIDIC).

In May 2017 Veronique was appointed a Deputy High Court Judge and has sat regularly in the Technology & Construction Court on a broad range of cases. As judge, arbitrator and leading counsel Veronique has an in depth understanding of the litigation and decision making processes. As leading counsel, Veronique fully comprehends what a Court or Tribunal requires to reach the right decision. As judge and arbitrator, she remains mindful of the challenges and pressures facing the parties and their representatives.

Recent Cases

Construction & Engineering

- Leading counsel on a dispute arising out of the decommissioning of a nuclear power station.
- Leading counsel for the EPC Contractor in relation to claims for major construction defects arising out of an NEC3 contract (onshore jet fuel tank infrastructure facilities).
- Advising on delay, disruption and supply issues on a major offshore windfarm project in Indonesia.
- Advising on the doctrine of frustration and force majeure arising out of the impact of the Ukraine War and sanctions (offshore wind farm project; FIDIC contracts).
- Leading counsel for a main EPC contractor in relation to disputes arising out of the construction of LNG facilities in East Africa (force majeure, suspension, delay and disruption).
- Leading counsel on multi million Euro ICC arbitration arising out of the construction of a regassification plant in Kuwait (early termination; delay and disruption; variations).
- Co-counsel on multi million Euro ICC arbitration arising out of an EPC contract for a state-of-the-art low- density polyethylene plant in Eastern Europe (delay and disruption; defective works).
- Leading counsel on an ICC arbitration for a major international sub-sea gas pipe laying contractor following the termination for convenience of a gas pipeline project (suspension, termination, delay, variations).
- Conducting an LCIA arbitration arising out of the termination (together with delay and disruption) of an EPC Contract for the construction of facilities for the processing and handling of wet sour crude, sour gas and effluent water from wells in northern Kuwait (early termination; delay).
- Acting for the contractor in relation to disputes following termination of a construction contract for oil & gas facilities in Iraq (termination, delay, force majeure).
- Acting for the contractor in connection with disputes arising out of the decommissioning of Brent Delta (TCC).
- Acting for the contractor in relation to a dispute arising out of delay and disruption to works for installation of new platform topside facilities (TCC) offshore Scotland.
- Acting for the bank in respect of its claim against its Project Monitoring Surveyor in relation to the construction of a property development in Manchester.
- Representing the contractors in connection with multi-million US\$ claims arising out of the construction of a container port in the Caribbean the subject of FIDIC terms including a 4

week evidential hearing.

- Commercial Court trial representing an international contractor in respect of a subsea gas pipeline trenching supply contract and geological issues in Asia James Fisher Offshore Ltd v Interact Activity Management Ltd (t/a Offshore Installation Services).
- Six week ICC arbitration concerning the construction and installation of a subsea pipeline used in the first gravity based structure for the regasification of LNG.
- Four week trial arising out of the delivery of contaminated LPG to Borealis AB's integrated olefin plant at Stenungsund and the extensive ensuing damage caused to the plant: Borealis AG v Geogas AS.

“Veronique combines detailed understanding with strategic vision. She is tenacious in pursuing her client’s case.”

Chambers UK Bar 2024

Offshore & Marine Engineering

- Advising on delay, disruption and supply issues on a major offshore windfarm project in Indonesia.
- Advising on the doctrine of frustration and force majeure arising out of the impact of the Ukraine War and sanctions in connection with an offshore wind farm project.
- Advising on force majeure and delay in connection with a billion US\$ project for the construction of an FPSO and associated facilities.
- Advising on multi million Euro claims in relation to allegedly defective subsea well components.
- Conducting LCIA arbitration in relation to disputes arising out of the termination of a charterparty, redelivery and decommissioning of an FSO.
- Leading counsel on an ICC arbitration for a major international sub-sea gas pipe laying contractor following the termination for convenience of a gas pipeline project.
- Acting for the contractor in connection with disputes arising out of the decommissioning of Brent Delta (TCC).
- Advising on pre-action protocol matters arising out of a dispute concerning modifications to the topsides of a North Sea oil rig (TCC) offshore Scotland.
- Acting on various disputes arising out of the construction of two semi-submersible rigs (Int. Arb.).
- Conducting an LMAA arbitration arising out of the sale of an exploration vessel.
- Commercial Court trial representing an international contractor in respect of a subsea gas pipeline trenching supply contract and geological issues in Asia James Fisher Offshore Ltd v Interact Activity Management Ltd (t/a Offshore Installation Services).
- Six week ICC arbitration concerning the construction and installation of a subsea pipeline used in the first gravity based structure for the regasification of LNG.
- Advising on construction contracts and disputes arising out of the supply of FPSOs and semisubmersible rigs and single point mooring buoys.
- Conducting an LCIA arbitration concerned with oil and gas exploration services offshore West Africa (including the provision of state of the art seismic survey services).

“Veronique is surpassed by no one on the construction side, you can never pull the wool over her eyes and her ability to untangle convoluted technical issues is genuinely impressive.”

Legal 500 UK Bar 2024

Energy & Natural Resources

- Leading counsel on a dispute arising out of the decommissioning of a nuclear power station.
- Leading counsel for the EPC Contractor in relation to claims for major construction defects arising out of an NEC3 contract (onshore jet fuel tank infrastructure facilities).
- Advising on delay, disruption and supply issues on a major offshore windfarm project in Indonesia.
- Advising on the doctrine of frustration and force majeure arising out of the impact of the Ukraine War and sanctions in connection with an offshore wind farm project.
- Leading counsel on an ICC arbitration in connection with a JV and SPA dispute arising out of the development and construction of power station in West Africa.
- Advising on multi million Euro claims in relation to allegedly defective subsea well components.
- Conducting an ICC arbitration for a major international sub-sea gas pipe laying contractor following the termination for convenience of a gas pipeline project.
- Conducting an LCIA arbitration arising out of the termination (together with delay and disruption) of an EPC Contract for the construction of facilities for the processing and handling of wet sour crude, sour gas and effluent water from wells in northern Kuwait.
- Acting for the contractor in connection with disputes arising out of the decommissioning of Brent Delta (TCC).
- Successfully representing the contractor in an ICC arbitration arising out of claims following rioting in an iron ore mine in Guinea (contract interpretation and force majeure).
- Advising on pre-action issues and pre-action protocol matters arising out of a dispute concerning modifications to the topsides of a North Sea oil rig (TCC).
- Advising on construction contracts for nuclear testing facilities.
- Commercial Court trial representing an international contractor in respect of a subsea gas pipeline trenching supply contract and geological issues in Asia James Fisher Offshore Ltd v Interact Activity Management Ltd (t/a Offshore Installation Services).
- Conducting an LCIA arbitration concerned with oil and gas exploration services offshore West Africa (including the provision of state-of-the-art seismic survey services).
- Six week ICC arbitration concerning the construction and installation of a subsea pipeline used in the first gravity based structure for the regasification of LNG.

“She really gets into the case forensically - takes it apart and builds it up. She has a laser focus on the fine detail of the case and she rolls her sleeves up and gets involved.”

Chambers UK Bar 2021

International Arbitration

- Acting in numerous ICC, LCIA and other international arbitral fora as counsel involving a variety of different areas of the law including energy, construction, sale of goods and the supply of services, commercial agency, aviation, insurance, commodities, jurisdiction and conflicts of laws.
- Leading Counsel ICC arbitration in connection with a JV dispute arising out of the development and construction of power station in West Africa.
- Co-counsel on multi million Euro ICC arbitration arising out of an EPC contract for a state of the art low-density polyethylene plant in Eastern Europe (delay and disruption; defective works).
- Leading counsel on multi million Euro ICC arbitration arising out of the construction of a regassification plant in Kuwait (early termination; delay and disruption, variations).

- Conducting LCIA arbitration in relation to disputes arising out of the termination of a charterparty, redelivery and decommissioning of an FSO.
- Conducting an ICC arbitration for a major international sub-sea gas pipe laying contractor following the termination for convenience of a major gas pipeline project.
- Conducting an LCIA arbitration arising out of the termination (together with delay and disruption) of an EPC Contract for the construction of facilities for the processing and handling of wet sour crude, sour gas and effluent water from wells in northern Kuwait.
- Successfully representing the contractor in an ICC arbitration arising out of works for the mining of iron ore in Guinea and issues of force majeure.
- Conducting an LCIA arbitration concerned with oil & gas exploration offshore West Africa (including the provision of state of the art seismic survey services). Conducting an ICC arbitration for a major international contractor concerned with the supply of oil rig equipment and services in Kazakhstan including various jurisdiction and conflicts of laws issues.
- Representing the Respondents in an ICC arbitration concerning the construction of a container port in the Caribbean the subject of FIDIC terms including 4 week evidential hearing.
- Representing the Respondent contractors in a dispute as to the arbitrators' jurisdiction to hear claims and the effect of multi-tiered dispute resolution clauses.
- Six week ICC arbitration concerning the construction and installation of a subsea pipeline used in the first gravity based structure for the regasification of LNG.

“Veronique is a go-to silk for big ticket international energy arbitrations. She is very sharp, intellectual, and hardworking. Her case preparation is impeccable, and she is measured in her advocacy style but absolutely fearless.”

Legal 500 UK Bar 2023

Arbitral Appointments

Veronique's recent arbitral appointments include:

- Party appointed Arbitrator in connection with disputes arising out of the sale of Power Generation Equipment and related services (delay; defects) (LCIA).
- Sole Arbitrator in connection with a dispute arising out of the upgrade of a hydrodesulphurization unit and hydrogen production unit at an oil refinery (IChemE Pink Book).
- Party appointed Arbitrator in relation to breach of warranty claims under a share purchase agreement (LCIA).
- Party appointed Arbitrator in connection with a dispute arising out of a FEED contract in relation to chemical processing facilities in the Middle East (ICC).
- Chair of an Arbitral Tribunal in relation to a dispute arising out of a Share Sale Agreement and hazardous waste treatment facilities in Saudi Arabia (ICC).
- Party appointed Arbitrator in connection with a dispute arising out of the supply and installation of tracker systems for a photovoltaic project in the Middle East (ICC).
- Sole Arbitrator under FIDIC EPC contract for the construction of a distribution center in the UK (domestic ad hoc).
- Emergency Arbitrator, anti-suit injunction, sanctions, wind farm project (ICC).
- Party appointed Arbitrator in connection with JV disputes arising in connection with the construction of a major rail infrastructure project in the Middle East (ICC).

- Party appointed Arbitrator in connection with a dispute arising out of the upgrade and expansion of refineries in the Middle East (ICC).
- Party appointed Arbitrator in relation to a dispute arising out of the construction of a Methanol and Dimethyl Plant (ICC).
- Chair of an Arbitral Tribunal in relation to a dispute arising out of the construction of a tank storage terminal (ICC).
- Party appointed Arbitrator in relation to disputes arising out of a US\$3.6 billion project for the EP&C of refinery facilities (ICC).
- Sole Arbitrator in relation to a dispute arising out of subcontract works on a jet fuel supply project (Qatari law) (ICC).
- Chair of an Arbitral Tribunal in connection with a dispute arising out of contracts for the sale of crude (Singapore) (ICC).
- Chair of an Arbitral Tribunal in relation to a dispute arising out of an EPC contract for the construction of terminal facilities (ICC).
- Party appointed Arbitrator in relation to a commodity trade finance dispute (ad hoc).
- Chair of Arbitral Tribunal appointed in relation to an insurance coverage dispute (LCIA).
- Sole arbitrator in relation to a claim arising out of defective roofing on a state of the art high profile UK facility (CIArb).
- Party appointed arbitrator in relation to a dispute arising out of a Production Sharing Contract for Joint Petroleum Development (ICC).
- Chair of Arbitral Tribunal appointed in relation to claims arising out of termination of a contract from the purchase of iron ore (LCIA).
- Party appointed arbitrator in relation to claims arising out of a contract for the construction development and operation of a hydropower plant (ICC).
- Sole arbitrator appointment in relation to claims arising out of contracts for the supply of iron ore crushers and construction of an iron ore beneficiation plant (ICC).
- Sole arbitrator appointment in relation to claims arising out of an International Daywork Drilling Contract for the drilling of oil wells in the Middle East (ICC).
- Sole arbitrator appointment in relation to claims arising out of a charter Service Agreement for offshore transport services (ICC).

“Very thoughtful and measured and not one to jump to conclusions. Listens attentively and ensures that all points are understood and reacted to.”

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Commercial Litigation

- Conducting ICC arbitration in connection with a JV and SPA dispute arising out of the development and construction of power station in West Africa.
- Successfully representing the defendant insurers when challenging the jurisdiction of the English Commercial Court to hear claims for contribution arising out of alleged double insurance under Brussels I Recast: XL Insurance Co SE v Axa Corporate Solutions SA (Comm. Court).

- Acting for the bank in respect of its claim against its Project Monitoring Surveyor in relation to a property development in Manchester: Governor of the Bank of Ireland v Watts (TCC).
- Acting for the Claimant purchaser on a dispute arising out of a Share Purchase Agreement concerning the acquisition of specialised separation technology for the production of oil & gas (Commercial Court).
- Advising on breach of warranty claims arising out of a share purchase agreement for the acquisition of North Sea oil & gas assets (Commercial Court).
- Advising on decommissioning liabilities and security.
- Acting for the claimant in an action for damages for fraudulent misrepresentation in connection with the acquisition and leasing of commercial aircraft (Commercial Court).
- Successfully resisting an application for interim relief to restrain demands under performance bonds and advance-payment guarantees on construction projects in North Africa (Commercial Court): Ouais Group Engineering and Contracting v Saipem SpA.
- Commercial Court trial representing an international contractor in respect of a subsea gas pipeline trenching supply contract and geological issues in Asia James Fisher Offshore Ltd v Interact Activity Management Ltd (t/a Offshore Installation Services).
- Acting for an independent upstream oil and gas company the operator of various North Sea oil fields in relation to injunction proceedings compelling the performance of sub-sea works.
- Four week trial arising out of the delivery of contaminated LPG to Borealis AB's integrated olefin plant at Stenungsund and the extensive ensuing damage caused to the plant: Borealis AG v Geogas AS.
- Advising in relation to North Sea oil exploration licensing agreements including the transfer and assignment of licenses (Commercial Court).
- LCIA arbitration arising out of shareholder and joint venture disputes in connection with oil & gas storage facilities in Russia.

“She is incredibly intelligent, very thorough and gets to grips with issues very quickly, tackling knotty legal issues with aplomb.”

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Infrastructure & Utilities

- Leading counsel on a dispute arising out of the decommissioning of a nuclear power station.
- Leading counsel for the EPC Contractor in relation to claims for major construction defects arising out of an NEC3 contract (onshore jet fuel tank infrastructure facilities).
- Advising on Gas Purchase Pricing Agreements.
- Conducting ICC arbitration in connection with a JV dispute arising out of the development and construction of power station in West Africa.
- Co-counsel on multi million Euro ICC arbitration arising out of an EPC contract for a state-of-the-art low-density polyethylene plant in Eastern Europe (delay and disruption; defective works).
- Conducting an ICC arbitration for a major international sub-sea gas pipe laying contractor following the termination for convenience of a major gas pipeline project.

- Conducting an LCIA arbitration arising out of the termination (together with delay and disruption) of an EPC Contract for the construction of facilities for the processing and handling of wet sour crude, sour gas and effluent water from wells in northern Kuwait.
- Acting for the contractors in connection with multi-million US\$ claims arising out of the construction of a container port in the Caribbean the subject of FIDIC terms including a 4 week evidential hearing.
- Advising a market leader on the practical application and construction of NEC2 contracts applicable to sewage and waste water treatment works in a dispute between joint venture partners.
- Six week ICC arbitration concerning the construction and installation of a subsea pipeline used in the first gravity based structure for the regasification of LNG.

Insurance & Reinsurance

- Acting for insurers on claims under bonds guaranteeing construction works.
- Acting for insurers on claims for contribution based on double insurance; jurisdiction and conflicts: XL Insurance Co SE v Axa Corporate Solutions SA (Commercial Court); and XL Insurance Co SE v Axa Corporate Solutions SA & AIG Europe Ltd.
- Advising on coverage in disputes between contractors and their insurers.
- Advising on coverage issues in connection with political risk policy arising out of damage to mining facilities following riots.
- Acting for the new owners of a well-known domestic insurance provider in relation to claims for conspiracy, unlawful interference and procuring breaches of contract in connection with the acquisition of insurance businesses.
- Acting for the insurer on arbitration claims to recover sums due from reinsurers under three excess of loss reinsurance treaties following losses relating to hurricane damage.
- Challenging an expert determination in the context of professional negligence claims arising out of insurance binder arrangements (Commercial Court).

“She provides excellent service at all times and is fantastic to work with – she has great commercial acumen and provides clear and useful tactical advice.”

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Selected Reported Cases

- LDC (Portfolio One) Ltd v George Downing Construction [2022] EWHC 3356 (TCC)
- Tejani v Fitzroy Place Residential Ltd [2022] EWHC 3153 (TCC) and [2022] EWHC 2760 (TCC)
- Innovate Pharmaceuticals Ltd v University of Portsmouth Higher Education Corp [2022] EWHC 1681 (TCC) and [2022] EWHC 1814 (TCC)
- Topalsson GmbH v Rolls Royce Motor Cars Ltd [2022] 6 WLUK 312
- Coldunell Ltd v Hotel Management International Ltd [2022] EWHC 1290 (TCC) and [2022] EWHC 3084 (TCC)
- Prater Ltd v John Sisk and Son (Holdings) Ltd [2021] EWHC 1113 (TCC) (Adjudication)
- Quadro Services Ltd v FP McCann Ltd [2021] EWHC 1490 (Adjudication)

- Richardson v Hills Contractors and Construction Ltd [2021] EWHC 479 (TCC)
- AIC Ltd v Federal Airports Authority of Nigeria [2021] 1 WLR 1506
- MPB v LGK [2020] EWHC 90 (TCC)
- Rubiera v Building and Handyman Group Ltd [2019] EWHC 3469
- AIC Ltd v Federal Airports Authority Nigeria [2019] 2 Lloyd's Rep. 211
- John (t/s Quantum Digital) v Lucasfilm Ltd LLC [2018] EWHC 624
- XL Insurance Co SE v Axa Corporate Solutions Assurance & AIG Europe Ltd [2018] EWHC (Comm)
- XL Insurance Co SE v Axa Corporate Solutions SA [2015] EWHC 3431 (Comm)
- Dolphin Geophysical AS v Oranto Petroleum Ltd [2013] EWHC 4082 (Comm)
- James Fisher Offshore Ltd v Interact Activity Management Ltd (t/a Offshore Installation Services) [2013] EWHC 1941 (Comm)
- Ouais Group Engineering and Contracting v Saipem SpA [2013] EWHC 990 (Comm)
- Borealis AG v Geogas AS [2010] 1 Lloyd's Rep 482; [2010] All ER (D) 110 and [2010] EWHC 2789 (Comm)
- Hamishmar Insurance Agency Ltd v First City Partnership [2010] Lloyd's Rep IR 215; 2010 All ER (D) 33 and [2009] EWHC 256 (Comm)
- Econet Wireless Ltd v Vee Networks Ltd [2006] 2 All ER (Comm) 989 and [2006] EWHC 1568 (Comm)

Education & Professional Career

Middle Temple Benchers	2023
Deputy High Court Judge	2017
Fellow Chartered Institute of Arbitrators	2013
Keating Chambers	2011-to date
Queen's Counsel	2010
Fountain Court Chambers	1991-2011
Called to the Bar	1991
Middle Temple Bristow scholar	1992
Middle Temple Queen Mothers' Scholar	1990-1991
Bar School (Very Competent)	1991
Diploma in Law, City University, Distinction	1990
Working for KPMG's Strategy Consultancy Group	1988-1989
MA Hons. St Andrews, First Class (French and International Relations)	1984-1988

Seminars, Publications & Papers

"European Regulations on Air Carrier Liability" in Carriage by Air Edited by Trevor Philipson Q.C.

Veronique regularly speaks at arbitration and construction conferences and gives talks on various topics including Key Clauses in Drilling Contracts; Excluding Consequential Loss; Knock for Knock Clauses; Termination; Case law updates, Practical Developments in International Arbitration, and conducting an international construction arbitration.

Additional Information

Veronique is bilingual English/French.