



Luis Capiel
Arias SLP

Languages

Spanish, English, German

Nationalities

Germany, Argentina

Luis Capiel is a partner at Arias SLP. He has over 15 years' experience practicing international arbitration with international law firms in Europe and Latin America.

He has acted as counsel and arbitrator in international arbitrations under various applicable domestic laws, administered by the major arbitral institutions in Europe and the Americas (ICC, PCA, ICSID, ICDR and Swiss Arbitration Centre, among others). He has focused his practice on complex commercial and construction disputes in the engineering and construction, banking and finance, insurance, private equity, electricity, and oil & gas sectors.

He is ranked as a dispute resolution lawyer in leading international legal publications and directories including Chambers and Partners and Who's Who Legal.

Luis is a member of the Arbitration Court of the Swiss Arbitration Centre. He also serves on the board of the Spanish and Ibero-American Arbitration Club and holds the position of deputy director of its journal, *Iurgium*.

He has been an honorary professor at the Universidad Autónoma de Madrid and guest lecturer and speaker at universities and conferences. He holds a law degree from the Humboldt Universität zu Berlin and LL.M. (First Class Honours) from The University of Auckland. He was admitted to the Munich Bar in 2007 and to the Madrid Bar in 2008.

Representative matters as arbitrator or tribunal secretary

- Co-arbitrator in an arbitration between a UK company in the aviation and railway industry and a Spanish railway company in relation to a dispute arising from the purchase of rolling stock coaches (ICC, Paris, Spanish law, English)
- Sole arbitrator in an arbitration between an Uzbek agricultural company and a Spanish supplier of agro-industrial products in relation to a dispute arising from the purchase of a green sprout production plant (MIAC, Madrid, Spanish law, Spanish)
- Sole arbitrator in an arbitration involving Spanish and Cabo Verdean companies in the hospitality industry in relation to a dispute arising from a loan agreement and a hotel lease agreement (*ad hoc*, Madrid, Spanish Law, Spanish)
- Administrative Secretary in an arbitration between investors from Israel and South Africa and an African State in relation to an investor-State dispute (PCA, capital of an African State, Investment Law of an African State, English)
- Administrative Secretary in an arbitration between a UAE shipbuilding company and a public company of a Central African State in relation to a dispute arising from a vessel supply agreement (ICC, Zurich, Swiss law, English)

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- Sole arbitrator in an arbitration involving a Spanish prosthetics manufacturer and a Portuguese distributor constructor in relation to a dispute arising from a distributorship agreement (CAM, Valladolid, Spanish Law, Spanish)
- Tribunal Secretary in an arbitration involving a European/African oil & gas group and a US/African group, provider of oil & gas solutions, in relation to a dispute arising from agreements for the supply of two LNG plants and for the provision of related services in an African country (ICDR/AAA, New York City, New York law, English)
- Administrative secretary in an arbitration between a western European company and an eastern European State in relation to the alleged expropriation of a project for the construction and operation of a hydroelectric plant in that eastern European State (ICC, Paris, law of the eastern European State, English)
- Administrative secretary in an arbitration between a Latin American distributor and an Asian motor vehicle manufacturer in relation to a dispute arising from a distributorship agreement (ICC, Frankfurt, law of an Asian State, English)
- Sole arbitrator in an arbitration involving a Spanish hospital group and a Dutch cryonics company in relation to a dispute arising from a services agreement (CAM, Madrid, Spanish law, Spanish)
- Administrative secretary in 4 parallel arbitrations involving a Spanish developer and a Spanish constructor in relation to a dispute arising from construction contracts for various housing complexes (CAM, Madrid, Spanish law, Spanish)

Representative matters as counsel

- Representing a Spanish renewable-energy company in an arbitration against a Chinese solar panel manufacturer in relation to a dispute arising from solar panel supply agreements for solar farm projects in Brazil (ICC, Frankfurt/Madrid, Spanish law, English/Spanish)
- Representing a Singapore-based global energy company in an arbitration against a Spanish multinational energy utility in relation to a dispute arising from a deal on the transfer of an LNG portfolio and the supply of natural gas (CIMA, Madrid, Spanish law, English)
- Representing a Spanish claimant in an arbitration against parties from the Dominican Republic and Spain in relation to a dispute arising from a family office agreement (CAM, Madrid, Spanish law, Spanish)
- Representing a Spanish manufacturer of automotive components in an arbitration brought by a manufacturer of automotive components from Liechtenstein in relation to a dispute arising from an agreement for the supply of lock nuts (ICC, Paris, Swiss law, English)
- Representing a Southeast Asian State in court proceedings for the appointment of an arbitrator brought by parties from another Southeast Asian country (Spanish Courts)
- Advising a Mexican electric utility in a dispute against a Spanish EPC contractor arising from an EPC contract for the construction of a combined-cycle plant in Mexico (ICC, Mexico City, Mexican law, Spanish)

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- Representing a Spanish natural gas trading company in setting aside proceedings against an award rendered in a CRCICA arbitration against a North African state-owned holding company of gas projects (Spanish Courts)
- Advising a Spanish construction company in a dispute against a Spanish company in the renewable energy industry arising from an EPC contract for the construction of a biomass power plant (CAM, Madrid, Spanish law, Spanish)
- Representing a Chilean construction company in an arbitration against a Peruvian public body in relation to a dispute arising from a road construction agreement (ICC, Panama, Peruvian law, Spanish)
- Representing a Colombian infrastructure concession company in an arbitration against a Spanish construction company in relation to a dispute arising from an EPC contract for the construction of motorways (ICC, Madrid, Colombian law, Spanish)
- Advising a Latin American company in the renewable energy sector in a dispute arising from an EPC contract for the construction of a wind farm project (ICC, city of a Latin American State, law of a Latin American State, Spanish)
- Advising a Spanish bank in a dispute arising from an agreement to transfer the business of the Spanish subsidiary of a US bank (ICC, Madrid, Spanish law, English)
- Representing a Spanish construction company in an arbitration brought by a Qatari construction company in relation to a dispute arising from two memoranda of understanding and multiple joint venture agreements for the construction of infrastructure projects in Qatar (ICC, Geneva, Swiss law, English)
- Representing a Spanish photovoltaic energy company in an arbitration brought by a Spanish solar panel manufacturing company arising from a payment agreement in respect of certain amounts owed under several manufacture and supply agreements (CIMA, Madrid, Spanish law, Spanish)
- Representing an African company in the metalworking industry in several exequatur proceedings initiated before the Spanish courts by three Spanish companies requesting that it be declared that certain partial awards issued in an ICC arbitration seated in Paris could not be recognized in Spain (Spanish Courts)
- Advising a Spanish urban mobility company in a dispute against a Spanish multinational company, leader in outdoor advertising, arising from a service agreement (TAB, Barcelona, Spanish law, Spanish)
- Representing the Directors of a Spanish company in an arbitration in which a corporate liability action was brought against them (*ad hoc*, Madrid, Spanish law, Spanish)
- Representing a Spanish natural gas trading company in an arbitration against a North African state-owned holding company of gas projects in relation to a dispute arising from a gas supply contract (CRCICA, Madrid, law of a North African State, English)
- Representing an Asian engineering and consulting company in the mobility sector in relation to the recognition and enforcement in Spain of an ICC award issued in London (Spanish Courts)

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- Advising a European subsidiary of a Latin American business conglomerate, shareholder of a European bank, in a dispute arising out of the resolution of that bank (Spanish and European Courts)
- Representing the European Central Bank (ECB) in an action brought by a German newspaper publisher for annulment of the decision of the Executive Board of the ECB, rejecting an application for access to certain documents concerning the public deficit and the public debt of Greece (General Court of the European Union, Luxembourg, EU law, German)
- Representing a Spanish infrastructure group in emergency arbitrator proceedings brought by a Peruvian consortium in relation to a dispute arising from a subcontract agreement for the construction of an oil refinery (ICC, Miami, Spanish law, Spanish)
- Representing a Spanish company in the finance industry in an arbitration against Brazilian and US companies in relation to a dispute arising from credit card chips supply agreements (ICC, Madrid, Spanish law, Spanish)
- Representing a Spanish consortium in emergency arbitrator proceedings and in an arbitration against an Ecuadorian regional government in relation to a dispute arising from a construction contract (ICC, Santiago de Chile, Ecuadorian law, Spanish)
- Representing a German company in the naval shipbuilding industry in an arbitration brought by a Venezuelan public company in relation to a dispute arising from a supply and maintenance agreement (ICC, Madrid, Venezuelan law, Spanish)
- Representing a Spanish electric utility in an arbitration brought by a Spanish infrastructure and services company in relation to a dispute arising from an SPA of a holding company (CAM, Madrid, Spanish law, Spanish)
- Representing a Spanish bank in an arbitration brought by an English insurance company in relation to a dispute arising from a SHA for a joint venture for insurance distribution (CAM, Madrid, Spanish law, Spanish)
- Advising a US private equity firm in a dispute against a Spanish multinational telecommunications company arising from the sale of a global provider of customer relationship management (ICC, Madrid, Spanish law, English)
- Representing a Canadian oil & gas company in an arbitration against a Spanish EPC contractor in relation to a dispute arising from a memorandum of understanding, referred to a project to develop, build and operate underground gas storage facilities (ICC, Madrid, Spanish law, English and Spanish)
- Representing a German EPC contractor in an arbitration brought by a Portuguese company in the chemical industry in relation to a dispute arising from an EPC contract for the construction of a nitric acid production plant (ICC, Madrid, Spanish law, English)
- Advising a Spanish EPC contractor in a dispute against a publicly owned Venezuelan mining company arising from an EPC contract for an iron ore concentration plant (ICSID/UNCITRAL, Spain-Venezuela BIT) (Caracas Chamber of Commerce, Caracas, Venezuelan law, Spanish)
- Advising a Spanish EPC contractor in a dispute against a publicly owned Venezuelan electric utility arising from an EPC contract for the construction of a combined-cycle power plant (ICSID/UNCITRAL, Spain-Venezuela BIT) (Caracas Chamber of Commerce, Caracas, Venezuelan law, Spanish)

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- Representing an Argentinian entrepreneur in the seafood industry in an arbitration against various respondents of the BVI and the USA in relation to a dispute arising from a stock option agreement for an Argentinian fishing company (ICC, Buenos Aires, Argentinian law, Spanish)
- Representing a Spanish electric utility in an arbitration against another Spanish electric utility in relation to a dispute arising from a gas supply agreement (CAM, Madrid, Spanish law, Spanish)
- Representing a UK private equity firm in setting aside proceedings against an award rendered in an ICC arbitration against a US private equity firm (Spanish Courts)
- Representing a Spanish bank in an arbitration brought by a Swiss insurance company in relation to a dispute arising from a SHA related to a joint venture for insurance distribution (CIMA, Madrid, Spanish law, Spanish)
- Representing a German real estate developer in court proceedings against a German clothing company in a dispute arising from a contract for the development and construction of a property in Spain (Spanish Courts)
- Representing a Spanish bank in an arbitration brought by a Russian electric utility in relation to a dispute arising from a demand guarantee (ICC, Paris, English law, English)
- Representing a Spanish EPC contractor in an arbitration against an Argentinian electric utility in relation to a dispute arising from an EPC contract to upgrade a gas power plant to a combined-cycle plant (ICC, Paris, Argentinian and Swiss law, Spanish)
- Representing a UK private equity firm in an arbitration brought by a US private equity firm in relation to a dispute arising from a letter of intent concerning the acquisition of a group of companies in the beauty care industry (ICC, Madrid, Spanish law, English)
- Representing a Spanish EPC contractor in an arbitration against the Ministry of Works and Transport of an African State in relation to a dispute arising from an EPC contract to upgrade several airports (ICC, Paris, law of an African State, English)
- Representing a Spanish company in the electric power industry in an arbitration against a Central American State in relation to a dispute arising from a tariff review for electricity distribution (ICSID, Washington D.C., BIT, Spanish)
- Representing an Italian valve manufacturer in an arbitration brought by a Spanish EPC contractor in relation to a dispute arising from an agreement to supply valves for gas pipelines (CAM, Madrid, Spanish law, Spanish)
- Representing a US charterer in an arbitration brought by an Italian vessel operator in relation to a dispute arising from a charter-party (*ad hoc*, London, English law, English)

Accolades

“Arias SLP’s Luis Capiel has over 15 years’ experience managing complex arbitration cases with international clients across Europe and Latin America and earns a listing this year for his top-notch performance in the research.” (Who’s Who Legal 2023)

“Luis Capiel has been good to work with. He is very good at getting to core issues as quickly as possible.” (Chambers Global 2023)

“Luis Capiel acts as counsel on arbitrations in the infrastructure sector. His experience extends to acting on international disputes involving Latin America.” (Chambers Europe 2022)

“Luis Capiel is a ‘brilliant mind’ with ‘unparalleled expertise in preparing written submissions’. He receives nominations for his ‘technical knowledge, business-oriented approach and extreme efficiency’.” (Who’s Who Legal 2021)

Ranked in Dispute Resolution (Chambers Global, Spain 2023, 2022, 2021)

Ranked in Dispute Resolution (Chambers Europe, Spain 2022, 2021)

Recognized as Leader in Arbitration (Who’s Who Legal: National Guide Iberia)

Recognized as Future Leader (Who’s Who Legal: Global Guide Arbitration 2023, 2022, 2021, 2020, 2019, 2018)

Ranked in International Arbitration (The Best Lawyers in Spain 2023, 2022, 2021, 2020, 2019)

Conferences and teaching

- Universidad Autónoma de Madrid, Master’s Degree in the Legal Profession: International litigation, *International Arbitration* (2017-2023, Madrid, Spain)
- ICC Costa Rica and ADR Section of the Madrid Bar Association: Seminar. *Virtual aspects in arbitration II. Evidence, Experts, Expert determination* (24 November 2020, online)
- XIII CEA-40 Conference: Efficiency in arbitration: The end justifies the means?, *Panel session on expedited and emergency arbitrator proceedings* (Moderator) (16 June 2019, Madrid, Spain)
- ICDR Young & International: Latin American Arbitration, *Panel discussion on Latin American arbitration* (2 October 2018, Paris, France)
- VIII Annual Congress of the Austrian-Spanish Lawyers’ Association (AHAUJ): Arbitration, mediation and other alternative means of dispute resolution: New developments, *Commercial and corporate arbitration in Spain and Latin America* (5 May 2017, Vienna, Austria)
- CEA-40: The second chair lawyer up for debate: the best techniques in support of the first chair lawyer in an arbitration, *Opening and introduction* (23 February 2017, Madrid, Spain)
- Universidad Internacional de La Rioja, Master’s Degree in Corporate Legal Counseling: EU Law and international regulation of markets, *Dispute resolution in international trade*, Practical case (2017, Logroño, Spain)
- Universidad Autónoma de Madrid, Master’s Degree in the Legal Profession: Private International Law, *Investment arbitration and practical arbitration cases* (2016, Madrid, Spain)

- Universidad Autónoma de Madrid, Degree in Business Administration: International Trade Law, *International Commercial Arbitration* (2015, Madrid, Spain)
- IE University, LL.B. y LL.B. + B.B.A. Dual Degree: European Legal History, *Law in the Nazi Regime* (2012 and 2013, Segovia, Spain)
- IE University: *Transnational lawyer* (21 November 2012, Segovia, Spain)

Publications

- *Iurgium*. Deputy Director (since 2021)
- The potential impact of Directive 2014/24/EU on construction arbitration in Europe, *International arbitration and EU law* (Edward Elgar Publishing, 2021)
- Prueba, *Memento Arbitraje* (Francis Lefebvre, 2020)
- Is Arbitration In Venezuela In Danger? *Kluwer Arbitration Blog* (27 May 2020)
- Arbitrating Conduct of Business Duties for Investment Services Providers, *Butterworths Journal of International Banking and Financial Law*, Vol. 31, No. 4, (2016)
- Spain, *International Arbitration* (Global Legal Group, 2015 and 2016)
- Novedades en el Reglamento Bruselas I refundido, *Actualidad Jurídica Uría Menéndez*, Nº 40 (2015)
- El Arbitraje Comercial Internacional en Latinoamérica, *Cuadernos de Derecho para Ingenieros. El marco jurídico de las empresas multilatinas* (Iberdrola/La Ley, 2014)
- Arbitraje CCI en torno a una garantía bancaria sujeta a derecho inglés: el principio de “cumplimiento estricto” (strict compliance) y las garantías a primer requerimiento, *2014 Práctica Contenciosa para Abogados* (La Ley, 2014)
- El Arbitraje Comercial Internacional en Alemania, *El Arbitraje Comercial Internacional en Europa* (Palestra Editores, 2013)
- El Juez de Apoyo en la Nueva Legislación Arbitral Francesa, *Iurgium*, Nº 11 (2011)
- Spain, *Getting the deal through. Arbitration in 50 jurisdictions worldwide* (Global Arbitration Review, 2010)
- El Principio de Kompetenz-Kompetenz en España, *Iurgium*, Nº 8 (2010)
- Pasado, Presente y Futuro de la Convención de Nueva York. Reseña con Consideración del Borrador de Van den Berg, *Arbitraje Comercial y Arbitraje de Inversión. La Convención de Nueva York de 1958: Reconocimiento y Ejecución de Laudos Arbitrales. Tomo 2* (Magna Ediciones, 2009)
- The 2009 Rules of Arbitration, *The International Litigation Quarterly*, Vol. 25, Issue 3 (2009)

- The 2009 Rules of Arbitration of the Court of Arbitration of Madrid, *Mealey's International Arbitration Report*, Vol. 24, Issue 3 (2009)

Professional memberships

- Madrid Bar Association
- Munich Bar Association
- Member of the Arbitration Court of the Swiss Arbitration Centre
- Board Member of the Spanish and Ibero-American Arbitration Club (CEIA)
- Swiss Arbitration Association (ASA)
- Deutsche Institution für Schiedsgerichtsbarkeit (DIS)
- Austrian Arbitration Association (Arb|Aut)
- International Bar Association (IBA)
- Panel of arbitrators of the Vienna International Arbitration Centre (VIAC)
- Panel of arbitrators of the Madrid Court of Arbitration (CAM)
- Panel of arbitrators of the Court of Arbitration of the Madrid Bar Association (ICAM)