



Justin D'Agostino Partner
Global head of practice – dispute resolution

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Experience

Justin is the global head of the firm's dispute resolution practice.

He is a leading international arbitration lawyer having acted as counsel and advocate before tribunals all over the world including in Hong Kong, London, Singapore, The Hague, Beijing, Bangkok and Zurich. Justin has experience in arbitrations under the rules of all the major institutions including the HKIAC, CIETAC, ICC, SIAC, LCIA and ICSID, as well as ad hoc arbitrations under the UNCITRAL Rules and the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes Between Two States. He also advises on arbitration-related court proceedings. Justin regularly sits as an arbitrator – as presiding arbitrator, co-arbitrator and sole arbitrator.

A member of Herbert Smith Freehills' specialist international law team, Justin also advises state authorities and companies on a range of public and private international law, insurance and regulatory issues, including the protection of foreign investments using investment treaties and political risks insurance, the applicability of international sanctions laws and proceedings under Mutual Legal Assistance Treaties.

He also speaks regularly on a variety of topics relating to arbitration and international law and is a Visiting Professor at Tsinghua University in Beijing.

Justin is a member of the Council and Executive Committee of the Hong Kong International Arbitration Centre, and a founding member of HK45, a group of arbitration practitioners based in Asia. He is also on the panel of arbitrators of the Kuala Lumpur Regional Centre for Arbitration.

He is admitted as a solicitor in Hong Kong and as a solicitor advocate in England & Wales.

Credentials

- **Grand Pacific Holdings** in its high-profile and successful appeal against a decision by the Hong Kong Court of First Instance to set aside an ICC arbitral award in its favour
- an **Asian government** in a major state-to-state arbitration concerning the interpretation of a treaty under the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes Between Two States
- a **Hong Kong company and one of its major shareholders** in ICC arbitration proceedings in Singapore arising from an alleged breach of representations and warranties
- a **South East Asian corporate** in potential ICC proceedings concerning a joint venture project for the manufacture and sale of solar panels
- two **Philippine energy companies** in an ICC arbitration in Manila involving alleged breaches of a joint venture agreement and a supply agreement
- a **private Chinese petrochemical company** in a Beijing seated CIETAC/UNCITRAL clause arbitration
- a **subsidiary of a leading Chinese energy company** in a multi-million Stockholm-seated arbitration before the Arbitration Institute of the Stockholm Chamber of Commerce, concerning disputes arising from an international sales contract of equipment
- a **high net worth individual** from Hong Kong in a Liechtenstein-seated ICC arbitration in relation to a dispute between family members



- a **leading multinational travel operator** in a consolidated ICC arbitration in Singapore, in relation to a significant breach of warranty claim under a share purchase agreement
- a **leading international financial institution** as respondent in a multimillion-dollar arbitration under the CIETAC rules
- a **PRC company** in HKIAC arbitration proceedings between two semiconductor manufacturers
- a **PRC energy company** in a significant dispute worth in excess of US\$320 million with a US joint venture partner relating to the supply of parts for wind turbines
- an **Austrian supplier of food ingredients** in an ICC arbitration against its PRC ex-joint venture partner
- a **major PRC energy company** in relation to disputes between the co-venturers under the Petroleum Agreement and related issues arising out of a high-profile oil spill in China's maritime territory
- **Telekom Malaysia Berhad** at hearings at the Permanent Court of Arbitration, The Hague, in UNCITRAL arbitration proceedings pursuant to a bilateral investment treaty between Malaysia and Ghana. The settlement of these proceedings involved an expert determination procedure
- **The US Securities and Exchange Commission** in confiscation proceedings in the Isle of Man brought by Her Majesty's Attorney General for the Isle of Man at the request of the United States Department of Justice
- **Her Majesty the Queen** in injunction proceedings in London against an English tabloid newspaper and its employee

Accolades

- Leading individual in Dispute Resolution - International Arbitration, Hong Kong
Asia Pacific Legal 500 2012-2015
- "Justin D'Agostino is 'first-rate' and 'energetic'"
Asia Pacific Legal 500 2015
- Ranked individual (band 1) in Dispute Resolution - Arbitration, China/Hong Kong
Chambers Asia Pacific 2011-2014
- "'Justin's the standout'. He is very 'articulate and highly competent'"
Chambers Asia Pacific 2014
- "'Top-tier' and 'brilliant' Justin D'Agostino"
Asia Pacific Legal 500 2014
- "The eminent Justin D'Agostino"
Asia Pacific Legal 500 2013
- "One of the few true experts in international arbitration in Hong Kong...engaging and extremely knowledgeable, especially on sovereign immunity in China"
Chambers Asia Pacific 2013
- "Herbert Smith is commended for its 'mastering of the documentation' and 'preparation for a case', to the extent that it often enables clients to 'settle advantageously'. Much credit should go to lead partner Justin D'Agostino, who is 'splendid', 'clear', 'completely on top of matters' and noted in particular for energy and infrastructure disputes. Clients also commend him for being able to 'graft on to the management team' and 'not be afraid to say what the best course of action should be'"
Asia Pacific Legal 500 2012
- "Justin D'Agostino is widely regarded to be 'doing a stellar job', and is 'one of the most successful partners in the network for Herbert Smith'"
Chambers Asia Pacific 2012
- "Justin D'Agostino is sought after as an 'energetic and enthusiastic practitioner'"
Chambers Asia Pacific 2012
- "One of the '45 Under 45' leading figures of the young international arbitration bar"
Global Arbitration Review 2011
- "Justin D'Agostino is making a name for himself as one of the best arbitration specialists in Asia...Sources say he 'has a fine brain, is wonderful in organising pleadings and understands the commercial world'"
Chambers Global 2011



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- "Justin D'Agostino is singled out as a 'standout lawyer with a fine legal mind and sharp commercial acumen'"
Chambers Asia Pacific 2011