

PATRICK BAETEN

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Born May 6, 1968 • Married, 4 children

Career History

ENGIE, formerly known as GDF Suez (September 1996 – Present)

<http://www.engie.com/en/>

Group Deputy General Counsel (Paris, as from 2016)
General Counsel Energy Europe (Paris, 2012 – 2015)
General Counsel Energy Benelux & Germany (Brussels, July 2008 – December 2011)
General Counsel SUEZ Energy Europe (Brussels, July 2006 – June 2008)
Group Head of Competition Law (Paris, January 2003 – December 2009)
Senior Legal Counsel (Brussels, September 1996 – December 2002)

Katholieke Universiteit Leuven (September 2015 – Present)

<http://www.law.kuleuven.be/onderwijs/leuven/studentenportaal/praktijkcolleges/vakfiches#PR22>

Lecturer in European Energy Law

Attorney (September 1993 – August 1996)

Cannart & André-Dumont, Brussels' bar

Current Role

Group Deputy General Counsel, in charge of litigation and arbitration worldwide.

Reporting to the Group General Counsel. Key tasks include :

- **File handling** – On general delegation of the Group General Counsel, act in all ENGIE litigation files worldwide, no matter what the subject matter, with a special focus on disputes to be disclosed in the Group's registration document or which may otherwise have a severe impact on the Group and the Group's reputation
- **Setting Up of Policies & Guidelines** – Ensure the setting up and implementation of appropriate committees, processes and policies (disputes reporting policy; policy on the handling of major litigation; policy on intra-group disputes; early dispute resolution guidelines; guidelines on choice of arbitrators)
- **Reporting** – Ensure a detailed and systematic reporting to ENGIE top management and board on major litigation files, associated costs, overall trends in dispute resolution and related KPIs etc. (group global disputes dashboard; registration document disclosures; case assessment memoranda; ...)
- **Training & Network** – Ensure specific trainings for ENGIE in house counsel. Set up and animate a litigation network among the ENGIE in house counsel, promoting the exchange of information and experiences, best practices sharing, including via a dedicated intranet
- **Outside Counsel Management** – Act as relationship point of contact for the litigation counsel of the Group panel law firms

Recent work (selection)

- Act as lead counsel in ECT **investment arbitration** proceedings under the ICSID rules against Hungary and Slovakia in the field of power generation and gas sales and distribution; follow up on annulment proceedings under the ICSID rules in two BIT arbitrations against Argentina; investigate the possibility for investment protection arbitrations against Belgium, The Netherlands, Spain and Poland in the field of nuclear and renewable power generation
- Steer multiple **construction arbitrations**, mostly under the ICC Rules, among others in Brazil and the UAE; follow up pre-litigation construction files in Algeria, Brazil, Indonesia, Mexico, Saudi Arabia, etc.
- Steer multiple **gas price review arbitrations**, mostly under the ICC Rules (Algeria, France, The Netherlands, Norway, Romania, Russia, ...)
- Act as lead counsel in a protracted ICC **commercial arbitration** against a competitor in the field of nuclear energy generation and sales

- Act as lead counsel, supporting group executives in **criminal proceedings** in Italy in the field of environmental liability
- Manage the group's position and interests in anti-bribery proceedings conducted by the Dutch National Prosecutor against a former group executive – and derive improved corporate governance rules and procedures therefrom; steer the Group's defense in anti-bribery investigations and proceedings in, among others, Latin American and South and East-European countries

- Act as lead counsel in multiple **regulatory investigations**, including an abuse of dominance case launched by the Belgian competition authority after the biggest dawn raid ever in Belgium; act as lead counsel in several high profile cartel and merger regulation proceedings, across the European Union
- Steer the group's defense in a electricity wholesale market manipulation investigation by the US Federal Energy Regulatory Commission

- Support local teams in multiple proceedings in **commercial litigation** before the South-African judiciary and in arbitration proceedings under the LCIA rules in the field of solar energy
- Act as lead counsel in multi-jurisdiction civil and criminal proceedings in France against a joint venture minority shareholder
- Support local legal teams in their conduct of pre-litigation civil and class actions in the field of environmental liability, among others in Brazil and Australia

Key competencies

- **Leading and coordinating high profile litigation files**, thereby contributing to secure the group's reputation and commercial and financial position : includes arbitration under the ICSID, UNCITRAL, ICC and other institutional or *ad hoc* rules, as well as proceedings before the judiciary; regulatory, competition and anti-bribery investigations and proceedings, at national, European Union and international level.
- **Building, steering and coaching legal teams** (up to 150 in house counsel and paralegals). Integrate previously separated legal teams into one single and seamless department, acting as one team in different locations and with multiple clients. Maintain the legal team's high level of quality and commitment despite turbulent circumstances :

deteriorated business climate, financial crisis, multiple post-merger re-organizations and a volatile political and regulatory environment. Conceive, launch and animate an extranet based professional social network dedicated to the legal department.

- **Designing, introducing and managing internal policies**, thereby contributing to the setting up and structuring of an effective and efficient organization : dispute resolution (arbitration, judiciary proceedings, ADR), ethics and compliance, reporting, HR management, outside counsel management, budget, business development and business development oversight, enterprise risk management.
- **Steering the legal support to and control of major business operations**, including M&A, the setting up of joint ventures and partnership, major contracts, negotiations with government and public authorities.

Education

- *Maîtrise en droit international et en droit européen* (LLM in international and European law), *magna cum laude*, Université Catholique de Louvain, 1993
- *Licence spéciale en droit international et en droit européen* (post-graduate degree in international and European law), *magna cum laude*, Université Catholique de Louvain, 1992
- *Licentiaat in de rechten* (law degree), Rijksuniversiteit Gent, 1991

Languages

English (fluent)
Dutch (native)
French (native)

Awards

- Trends Legal Award 2014 for *Best Legal Department*
- Belgian Legal Award 2012 for *Most Innovative Legal Department of the Year*

Associations

- International Bar Association
- Belgian Institute for Company Lawyers (IBJ/IJE): treasurer & board member 2012-2015, member of the Appellate Commission since 2016
- Trends Legal Awards (Belgium), jury member since 2008
- *Trophées du droit* (Legal Awards) (France), jury member since 2015
- Young Arbitrators Match (France), chairman of the jury 2016
- CEPANI (Belgian Centre for Arbitration and Mediation), member of the Working Group Arbitration

Speaking Engagements (selection of most recent ones)

- *“Expedited Procedures in International Arbitration”*, ICC Institute for World Business Law, Paris, to take place in December 2017
- *“Dispute Resolution: The Growing Art of International Commercial Arbitration”*, International Legal Alliance, New York, to take place in June 2017
- *“How Could Existing Dispute Resolution Processes Be Improved ?”*, Global Pound Conference, Paris, to take place in April 2017
- *“What Do ICC Users Say”*, ICC 1st European Conference on International Arbitration, Paris, to take place in April 2017
- *“Strategy in International Arbitration”*, CEPANI, Brussels, 2017
- *“What is Measured, is Managed”*, ICC 7th International Mediation Conference, Paris, 2016
- *“Dispute Resolution 3.0”*, Business and Legal Forum, Paris, 2016
- *“The State’s Instinct to Regulate, Post Paris Climate Deal – What Does it Mean for Investors?”*, Global Arbitration Review 2nd Live Energy Disputes, London, 2016
- *“Rationalizing Dispute Settlement”*, Business Mediation Summit, Brussels, 2016
- *“Should the Arbitrators’ Appointment Process Be Reviewed ?”*, Bredin Prat, Paris, 2016
- *“Let’s Go Digital – The In House Counsel in the Digital Era”*, Chair, Belgian Institute for Company Lawyers, Brussels, 2015
- Development Institute International 6th International General Counsel Roundtable, Chair, Geneva, 2014
- *“The General Counsel in the New Corporate Balance of Power”*, Development Institute International 5th International General Counsel Roundtable, Geneva, 2013
- *“Compliance : Reality or Window Dressing ? How to Handle It ?”*, ICC, Brussels, 2012
- *“Arbitration and Competition Law”*, CEPINA, Brussels, 2010