



**The Honorable
L. Yves Fortier**

PC, CC, OQ, QC, Ad. E., LLD

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Quebec Bar 1960

On December 31st, 2011, Mr. Fortier severed his long-time relationship with Norton Rose OR, (formerly Ogilvy Renault) “the Firm”. He was then Chairman Emeritus of the Firm. From 1992 until 2008, he was Chairman of the Firm.

Since January 1st, 2012, Mr. Fortier practices law in Montréal as an independent mediator/arbitrator. He also has offices in Toronto and London. He is recognized as one of the top arbitrators in the world.

Mr. Fortier has served as Chairman or party-appointed arbitrator on more than 300 arbitral tribunals, either ad hoc or constituted by different arbitral institutions, including the International Court of Arbitration of the International Chamber of Commerce (Paris), the London Court of International Arbitration (LCIA), the Hong Kong International Arbitration Court (HKIAC), the Singapore International Arbitration Centre (SIAC), the China International Economic and Trade Arbitration Commission (CIETAC), the American Arbitration Association, the Court of Arbitration for Sport, the Zurich Chamber of Commerce, the International Centre for Settlement of Investment Disputes (ICSID), the Canadian Commercial Arbitration Centre, the British Columbia International Commercial Arbitration Centre and the Permanent Court of Arbitration in The Hague. He has served as Chairman or party-appointed arbitrator on more than 50 Investor-State International Tribunals. Mr. Fortier has also served on more than 50 panels of the Court of Arbitration for Sport (CAS) in Lausanne and the Sport Dispute Resolution Centre of Canada (SDRCC). He is a former Chairman of the SDRCC. He is also a member of the International Sport Resolutions’ Panel of Arbitrators and Mediators. From 1984 to 1989 he was a member of the Permanent Court of Arbitration at The Hague. From 1998 to 2001, he was President of the London Court of International Arbitration (LCIA). In May 2012, Mr. Fortier was appointed Chairman of the World Bank’s Sanctions Board. He served in that capacity until September 2015. In August 2013, Mr. Fortier was appointed a member of the Security and Intelligence Review Committee of Canada and sworn in as a member of the Privy Council of Canada. In August 2016, Mr. Fortier was appointed Chairman of the Enforcement Committee of the European Bank for Reconstruction and Development (EBRD).

From July 1988 until January 1992, Mr. Fortier took leave from his law practice to take up an appointment as Canada’s Ambassador and Permanent Representative to the United Nations in New York. During his term at the United Nations, Mr. Fortier was Canada’s Chief Delegate to the 43rd, 44th, 45th and 46th Sessions of the UN General Assembly. In September 1990, he was elected Vice-President of the 45th General Assembly. From January 1989 to December 1990, Mr. Fortier served as Canada’s Representative on the Security Council of the United Nations and in 1989 he was President of the Council.

As a trial lawyer with extensive experience in the practice of commercial, corporate and public international law, Mr. Fortier has pleaded important cases before all court jurisdictions in Canada and before domestic and international arbitral tribunals including the International Court of Justice in The Hague. He has also served as counsel to many Royal Commissions and Commissions of Inquiry in Quebec and Canada.

Law School and Education

- B.A., Summa Cum Laude, Université de Montréal, 1955
- B.C.L., McGill University, 1958 (Civil Law)
- He then attended the University of Oxford as a Rhodes Scholar where he obtained an advanced degree in common law.
- B.Litt. (Oxon), 1960.

Selected client work

Mr. Fortier has acted for the following parties:

- The Government of Canada, as counsel before the International Court of Justice at The Hague in the Canada-US Gulf of Maine Maritime Boundary case (1984) and before the ad hoc International Tribunal constituted to determine the maritime boundary between Canada and France in the North Atlantic (1991)
- The Government of Canada as its Chief Negotiator in the negotiation with France of a Maritime Boundary in the North Atlantic (1987-1989)
- The Government of Quebec as its special negotiator with the Cree Nation (1993) and as its lead negotiator with the Innu Nation (2006-2012)
- The Government of Canada as its Chief Negotiator in the negotiation with the United States of the Pacific Salmon Treaty (1994-1998)
- The Secretary General of the United Nations as his Special Envoy to Malaysia (1997) and his Personal Representative and Mediator in the Equatorial Guinea and Gabon boundary dispute (2003-2008)
- The Government of Canada as its lead counsel in the Quebec Reference before the Supreme Court of Canada (1998)
- The Government of Nova Scotia as its lead counsel before the international tribunal constituted to determine the offshore boundary between the province of Nova Scotia and the province of Newfoundland and Labrador (2001)

Mr. Fortier has also acted as an adjudicator in the following matters:

- The land and maritime boundary dispute between Bahrain and Qatar (1997) and the boundary dispute between Colombia and Nicaragua (2002) as Judge ad hoc of the International Court of Justice
- The United Nations Compensation Commission in Geneva (Iraq-Kuwait) as Chairman of Panel “C” (1993) and Panel F3 (1999)
- The Claims Resolution Tribunal for Dormant Accounts in Switzerland as Arbitrator and Senior Claims Judge (1998-2002)
- Ireland v United Kingdom (the MOX Plant Case) as a member of the International Tribunal for the Law of the Sea
- The Eurotunnel dispute (France-Manche v UK and France) as a member of the international arbitral tribunal

Membership and Activities

Law

- Appointed Queens’s Counsel (1976)
- President Canadian Bar Association (1982-1983)
- Founding Director, Law for the Future Fund
- Honorary Member, American Bar Association
- Honorary Vice-President, London Court of International Arbitration (LCIA) (former President 1998-2001)
- International Bar Association
- International Commission of Jurists (Canadian Section) Member of Council
- Union Internationale des Avocats (Vice-Président, 1983-1988)
- Canadian Society of International Law
- International Law Association (Canadian Branch)
- Director, Canadian Institute for Advanced Legal Studies (2000 – 2014)
- Fellow, American College of Trial Lawyers (Regent 1992 – 1996)
- Trustee of the Financial Assistance for Settlement of International Disputes of the Permanent Court of Arbitration (2009 –)

- Member FIAA Board of Trustees

Membership and Activities (cont...)

Public Affairs

- Governor, McGill University (1975-1985)
- Director, Montréal Neurological Institute (1975-1985)
- Director, Montréal Clinical Research Institute (1978-1983)
- Director, Historica Canada (2003 –)
- Trustee, International Accounting Standards Board (2000 – 2007)
- Trustee, McGill Institute for the Study of Canada (2013 –)
- Member of the Trilateral Commission (1992 – 2002)

Corporate

- Mr. Fortier is a former Chairman of Alcan Inc. (2002 – 2007) and the former Governor of the Hudson's Bay Company (1997 – 2006)
- Mr. Fortier is a former Director of many public Corporations, including:
 - Royal Bank of Canada
 - Trans Canada Pipelines Limited
 - Dupont Canada Inc.
 - Westinghouse Canada Inc.
 - Manufacturers Life Insurance Company
 - Westroc Inc.
 - Nortel Networks Inc.
 - Patino Mining Corp.
 - Rio Tinto Plc

Awards and Honors

- Doctor of Laws honoris causa: Law Society of Upper Canada (1989)
- Companion of the Order of Canada 1991 (highest ranking in the order)
- Officier Ordre National du Québec (2006)
- Médaille d'Or, Quebec Bar (1992)
- Doctor of Laws honoris causa: Acadia University (1992)
- Doctor of Laws honoris causa: University of British Columbia (1993)
- President's Award, Canadian Bar Association (1993)
- Doctor of Laws honoris causa: Université de Montréal (2000)
- Doctor of Commerce honoris causa, Ryerson University (2004)
- Doctor of Laws honoris causa: McGill University (2006)
- Advocatus Emeritus, Quebec Bar (2007)
- Director Emeritus for Excellence in Corporate Governance in Quebec (2007)
- The American Lawyer/ Focus Europe – Arbitration Scorecard (2007): Top Arbitrator in the World
- International Commission of Jurists' Walter S. Tarnopolsky Human Rights Award (2008)
- Doctor of International Studies honoris causa, Université Laval (2008)
- Best Lawyers' Lawyer of the Year, 2011 – International Arbitration, Montréal
- Best Lawyers in Canada, 2011 – International Arbitration,
- Alternative Dispute Resolution, Administrative and Public Law
- The Roger Fisher Lifetime Achievement Award in ADR (2013)
- Honorary (Overseas) Benchers, Middle Temple Inn (2022)

Publications

Mr. Fortier has delivered many conferences, written numerous articles, and participated in many symposia, panels on arbitration, including:

- « The Oceanic Feeling in International Adjudication » : The Baker & McKenzie Lecture at University College in London in November 2015
- The Kaplan Lecture in Hong Kong in November 2014: « Arbitrators, Corruption and the Poetic Experience (“When power corrupts, poetry cleanses”) ». Also published in 2015 in ICSID 50th Anniversary Commemorative book of articles written by leading arbitrators, practitioners and academics on landmark cases in international investment law
- «International Arbitration and the Argentine Cases: An Evaluation of 10 Years of Arbitration – Institutional Aspects » : The Institute for Transnational Arbitration and the American Society of International Law Conference, in Washington, D.C., March 2012
- « La nouvelle loi française sur l’arbitrage: vues d’Outre-Atlantique » : Conférence annuelle de l’Association Française d’Arbitrage (AFA) septembre 2011 à Paris. Publié dans les Cahiers de l’arbitrage en 2012
- « Investment Protection and the Rule of Law : Change or Decline», Lecture delivered at British Institute of International and Comparative Law 50th Anniversary Event Series, London, 17 March 2009;
- « The Occasionally Unwarranted Assumption of Confidentiality », Conference in Vancouver October 1999, published in Arbitration International
- « Arbitrating in the Age of Investment Treaty Disputes »: The University of Southern Wales Law Journal (2008)
- « Interim Measures: An Arbitrator’s Provisional View » : The Fordham Law School Conference on International Arbitration and Mediation in New York, 2008
- « Arbitrability of Disputes: In Global Reflections on International Law, Commerce and Disputes Resolution »: Liber Amicorum in Honor of Robert Briner in 2005
- « Indirect Expropriation in the Law of International Investment: I Know it When I See It, or Caveat Investor », The Twelfth Annual Goff Arbitration Lecture in Hong Kong, December 2004 with Stephen L. Drymer
- The 2002 Genest Lecture in Toronto : « Un Québécois Canadien in The Roc’s Court »
- « The Minimum Requirements of Due Process in Taking Measures Against Dilatory Tactics: Arbitral Discretion in International Commercial Arbitration – A Few Plain Rules and A Few Strong Instincts » in ICCA Congress in Dublin
- « Canada and the United Nations : A half Century Partnership»: Montréal, 1996
- « From Confrontation to Co-operation on the High Seas: The United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks and the Evolution of the Law of the Sea »: London, 1995
- « Diplomacy and Arbitration » 1998, Canadian Arbitration and Mediation Journal: «International Arbitration on the Eve of the Millennium» (International Arbitration Law Review)

Languages

Fluent in French and English. Some knowledge of Italian and Spanish