

OVERVIEW

Daniel Kalderimis KC is a specialist barrister based in New Zealand with a dedicated focus on advocacy in international arbitrations across the Asia-Pacific region. He practices as a barrister in New Zealand and England and Wales. He is also qualified in New York.

Daniel Kalderimis has over 25 years' advocacy experience, at all levels of the New Zealand court system and before international tribunals. Daniel was formerly a partner at Chapman Tripp, where he founded and led its international law team. Daniel regularly acts as counsel in international arbitrations and has experience as an arbitrator.

Daniel is New Zealand's representative to the ICC Commission and national correspondent to UNCITRAL for the New York Convention and Model Law on International Commercial Arbitration. Daniel acted on the first bilateral investment treaty arbitration held in New Zealand as well as on the first application for recognition of an ICSID award in New Zealand courts. He also regularly appears as an advocate in significant commercial litigation before New Zealand courts.

Daniel is widely published on cross-border and international law issues and is a frequent speaker in these fields. He has taught at Columbia Law School, Victoria University of Wellington Law School and Otago Law School. He is a member of the Rules Committee (the statutory body responsible for New Zealand's civil procedure rules), the Convenor of the New Zealand Law Society's Civil Litigation and Tribunals Committee and a Fellow of the Arbitrators' and Mediators' Institute of New Zealand.

EXPERIENCE

Thorndon Chambers (Wellington)
Richmond Chambers (Auckland)
Twenty Essex (Singapore and London)

Barrister *New Zealand, Singapore and London, Dec 2020 –*

Appointed King's Counsel *June 2024*

Chapman Tripp Partner *Wellington and Auckland, March 2009 – Nov 2020*

- Head of international law practice; senior member of dispute resolution department (partner since 2011)
- Experienced advocate before trial courts, appellate courts and arbitral tribunals
- Member of Rules Committee
- Convenor of NZLS Civil Litigation and Tribunals Committee
- Member of AMINZ Arbitration Appeals Tribunal
- Faculty member for NZLS Litigation Skills Programme
- Moderator for contract law examinations in New Zealand law schools
- Adjunct lecturer at Victoria University School of Law (civil procedure and international economic law)
- Experience as arbitrator, including under ICC Rules

Freshfields Bruckhaus Deringer LLP Senior Associate *London, Oct 2004 – Jan 2009*

- Member of the international arbitration and public international law groups

- Advocate in numerous institutional and ad hoc arbitrations

Columbia University School of Law Associate in Law

New York, July 2002 – June 2004

- Researched international economic law
- Taught *Introduction to International Law and International Organizations* (G4800, Spring 2004) and legal research and writing

Chapman Tripp Associate

Wellington, Feb 2001 – June 2002

- Practiced commercial litigation – mainly in the areas of corporate and public law
Also *Summer Clerk, Nov 1997 – Feb 1998*

New Zealand Court of Appeal Judges Clerk to Rt Hon Justice Thomas *Wellington, Sept 1999 – Jan 2001*

- Assisted with respect to appellate judgments involving a broad range of legal issues

EDUCATION

Columbia University School of Law, New York, NY – LLM, 2004

Awards: Fulbright Buddle Findlay Award in Law, 2002 (*Award for most promising New Zealand lawyer studying in the US*)

Victoria University, Wellington, New Zealand – LLB (Hons) First Class, 1999, BA (English and Philosophy), 1998

Awards: Chapman Tripp Prize (Best graduating law student), 1999

Medal for Academic Excellence in Law (*Best graduating student with LLB (Hons)*), 1999

AH Johnstone Scholarship in Law (*Best student having completed all compulsory law courses*), 1997

Quentin-Baxter Memorial Prize for International Law, 1997

Individual winner of Victoria University mooting (1996, 1997) and witness examination (1996) competitions

Team winner of Australasian Law Students mooting competition (1998)

Third ranked individual (1997) and third-equal placed team (1998) at Willem C Vis mooting competition

PUBLICATIONS

“A Journey of a Human Advocate: Reflections on the Philosophy of Advocacy (or, a story of demons and dialogues)”, forthcoming *ICCA XXVI Congress Series* 2024.

“Mediation and Access to Justice” [2023] NZLJ 369

“International Investment Law and Arbitration”, Chapter 16 in A Hood & A Hertogen (eds) *International Law in Aotearoa-New Zealand* (Thompson Reuters, 2021)

“Into a Brave New World: Reflections on the Character of International Arbitration” (2018) 34(4) *Arbitration International* 533

Williams & Kawharu on Arbitration (2ed, 2017, LexisNexis) (contributing author, with Sir D Williams QC, A Kawharu, W Miles QC and A Kirk) (also First Edition in 2011)



“The Future of the ICSID Convention: Bigger, Better, Faster?”, Chapter 22 in C Baltag (ed) *ICSID Convention After 50 Years: Unsettled Issues* (Wolters Kluwer, 2017)

“The Authority of Investment Treaty Tribunals to Issue Orders Restraining Domestic Court Proceedings” (2016) 31(3) *ICSID Rev-FILJ* 549

“Investment Policy-making in its Broader Context” (2015) 21 *NZBLQ* 253 (with K Yesberg)

Commentaries on the ICSID Convention and ICSID Arbitration Rules in L Mistelis (ed) *Concise International Arbitration* (2ed, Kluwer Law International, 2015) (with N Rubins and B Love) (also First Edition in 2010)

“Back to the Future: Contemplating a Return to the Exhaustion Rule”, Chapter 10 of J Kalicki & A Joubin-Bret (eds) *Reshaping the Investor-State Dispute Settlement System* (Brill, 2015)

“Exploring the Differences Between WTO and Investment Treaty Disputes Resolution”, Chapter 3 of S Frankel & M Kolsky Lewis (eds) *Trade Agreements at the Crossroads* (Routledge, 2014)

“Certainty and Discretion in New Zealand Regulation”, Chapter 4 of S Frankel (ed) in *Framing the Commons: Cross-Cutting Issues in Regulation* (Victoria University Press, 2014) (with C Nixon and T Smith)

“Regulating Foreign Direct Investment in New Zealand: Further Analysis”, Chapter 3 of S Frankel and D Ryder (eds) *Recalibrating Behaviour: Smarter Regulation in a Global World* (LexisNexis, 2013)

“Systemic Integration and International Investment Law – Some Practical Reflections”, presentation to Society of International Economic Law, 6 July 2012, Singapore, SSRN abstract+2101772

“Regulating Foreign Investment in New Zealand”, Chapter 16 of S Frankel (ed) *Learning From the Past, Adapting for the Future: Regulatory Reform in New Zealand* (LexisNexis, 2011)

“Investment Treaty Arbitration as Global Administrative Law: what this might mean in practice”, Chapter 7 of C Brown & K Miles (eds) *Evolution in Investment Treaty Law and Arbitration* (CUP, 2011)

“Investment Treaties and Public Goods”, Chapter 10 of J Nakagawa (ed) *Multilateralism and Regionalism in Global Economic Governance* (Routledge, 2011)

“Is Transnational Law Eclipsing International Law”, Chapter 7 in P Bekker, R Dolzer & M Waibel (eds) *Making Transnational Law Work in the Global Economy: Essays in Honour of Detlev Vagts* (CUP, 2010)

“IMF Conditionality as Investment Regulation – A Theoretical Analysis” (2004) 13(1) *Social & Legal Studies* 103

“Problems of WTO Harmonization and the Virtues of Shields Over Swords” (2004) 13(2) *Minn J of Global Trade* 305

“Comment: R v Pora” [2001] *NZLJ* 369

Powers, *Laws of New Zealand Title*, April 2000

“Pure Ideology: the ‘Ownership Split’ of Power Companies in the 1998 Electricity Reforms” (2000) 31(2) *VUWLR* 255

“Contractual Economic Loss in New Zealand” (1999) 29(2) *VUWLR* 19