

**CURRICULUM VITAE  
OLUFUNKE ADEKOYA, SAN**



**PERSONAL DETAILS**

**NAME:** MRS OLUFUNKE ADEKOYA

**DATE OF BIRTH:** 7th March 1952

**PLACE OF BIRTH:** Birmingham, England

**NATIONALITY:** Dual - Nigerian and British

**PROFESSION:** Legal Practitioner.

**RANK:** Senior Advocate of Nigeria [S.A.N.] - 2001

**OFFICE ADDRESS:** ALEX

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FAMILY DETAILS: Married with 2 sons.

## EDUCATION & QUALIFICATIONS

LL.B (Hons.), University of Ife; 1974  
LL.M, Harvard Law School, Boston, Mass, USA 1977

## BAR ADMISSIONS

Legal Practitioner, Nigeria 1975  
Appointed as Notary Public in 1986  
Solicitor, England and Wales 2004

## AREAS OF PRACTICE

Corporate Dispute Resolution [Arbitration and ADR]  
Commercial Litigation

## PRACTICE DESCRIPTION

Mrs Funke Adekoya SAN is a partner at ALEX, a commercial law firm operating in Lagos, Nigeria and Accra, Ghana. She heads the Dispute Resolution practice group which manages litigation and arbitration matters for the firm's clients.

She has 45 years' experience in commercial litigation and corporate dispute resolution; and regularly sits as an arbitrator in high value institutional proceedings under the LCIA, LMAA, ICSID and ICC Arbitration Rules. She also participates in ad hoc arbitration proceedings both in international and domestic disputes.

She is knowledgeable in both Nigerian and English Law.

Her recent arbitrator appointments include:

International appointments

1. Ad hoc proceedings:
  - a. Co-arbitrator appointed by the offshore investor in two disputes brought under the Uncitral Model Rules between a Nigerian State entity and a Bahamian offshore supplier and its Nigerian subsidiary alleging breach of a transportation maintenance and management agreement as well as the breach of private public partnership agreement with the State's transportation agency involving the construction of a vehicle assembly plant. [Concluded]
  - b. Co-arbitrator appointed by the Federal Government of Nigeria in a dispute between a British port inspection agency and the Federal Government of Nigeria. [Concluded]
2. LCIA administered proceedings:
  - a. Chairman of the arbitral panel established under the LCIA Rules in a dispute between a Kenyan company and a UK insurance company over the validity of a re-insurance claim. [Concluded]
3. ICC Rules:
  - a. Appointed as the sole arbitrator in arbitration proceedings under the ICC Rules arising out of a franchising dispute between Kenyan and Swiss parties. [Concluded]
  - b. Co-arbitrator in a dispute between a Nigerian Government agency and a purchaser of distressed assets, alleging breach of contract of sale/lease arrangement. [Concluded]
  - c. Appointed Chairman of the panel by the ICC Court of Arbitration in a dispute arising out of an allegedly breached infrastructure construction contract entered into between the State of Zanzibar and a Tanzanian contractor [pending]
4. ICSID administered investment treaty disputes:
  - a. ICSID Annulment Committee member [concluded] - **ARB/12/13: Saint-Gobain Performance Plastics Europe v Bolivarian Republic of Venezuela.**
  - b. Co arbitrator – **ARB/17/13: Grenada Private Power Limited and WRB Enterprises, Inc. v Grenada [concluded proceedings]** - party appointed arbitrator in an investor –state dispute under the UNICTRAL Rules based on an alleged breach of a share –purchase agreement entered into between the parties involving the State party's electricity sector.
  - c. Co-arbitrator – **ARB/17/33: EcoDevelopment in Europe AB & others v United Republic of Tanzania [pending proceedings]** - appointed by the Chairman of ICSID as party arbitrator in an investor-state dispute arising out of the alleged failure to develop a

sugar cane plantation for agribusiness purposes and brought under the Tanzania- Sweden BIT.

- d. Co- arbitrator - **ARB/19/31: Gerald International Limited v. Republic of Sierra Leone [pending proceedings]** - party appointed arbitrator in an investor –state dispute under the UK-Sierra Leone BIT based on an alleged breach of a mining concession licence.
5. PCA Administered investment treaty dispute:
  - a. Presiding Arbitrator in **PCA Case No. 2018-38: 1. Mr. Gokul Das Binani, 2. Mrs. Madhu Binani (India) v. Republic of Macedonia.** [Concluded] Investment arbitration proceedings under the India – Macedonia BIT brought under the Uncitral Arbitration Rules 1976. Dispute arose out of alleged breach of a mining licence.

### Domestic appointments

Some recent Ad Hoc proceedings under Nigeria’s Arbitration and Conciliation Act :

1. Chair of the arbitral tribunal in a dispute between a real estate building contractor and a State Government, alleging the State party’s breach of contract by failing to pay for work done under the contract. [Concluded]
2. Sole arbitrator in a dispute between a real estate development company and an off-plan purchaser, alleging late delivery and substandard construction of residential unit purchased off-plan. [Concluded]
3. Party appointed arbitrator in a dispute between an oil services company and its engineering contractor alleging breach of a civil works contract. [Concluded]
4. Party appointed arbitrator in a dispute between a State Government and a road building contractor over alleged failure to honour performance guarantees. [Concluded]
5. Chair of the arbitral tribunal in a dispute between a procurement contractor and an agency of the Federal Government, alleging the Government’s breach of payment terms in respect of items delivered under the contract and also breach its obligation to take delivery of items ordered for when presented for delivery. [Pending]
6. Chair of the arbitral tribunal in a dispute between a port contractor and a port complex manager alleging breach of a series of agreements which obliged the Respondent to pay cargo handling and port facility management fees. [Pending]

In the role of arbitration counsel, Funke recently concluded a hearing acting as co-counsel with a London based firm to represent a client in an arbitration dispute over the decision of an independent Expert in respect of an equity redetermination process over a unitised oil field.

She is a member of Nigeria’s ICC National Committee; the panel of neutrals of the Lagos Regional Centre for International Commercial Arbitration and the Nigerian Communications Commission.

In the international legal arena, Funke is a member of the African Users Council of the London Court of International Arbitration as well as the Lagos Court of Arbitration. She has been accepted onto the arbitration panels listing maintained by the Kigali Center for International Arbitration as well as CIETAC,

the China International Economic and Trade Arbitration Commission. She is also a member of the ICCA-ASIL Task Force on Damages in International Arbitration

She sits on the international appointment committee of the Scottish Arbitration Centre, and has just concluded her term as a Vice President of the Governing Council of ICCA [International Council for Commercial Arbitration], where she remains a member of its Governing Board.

She is a former member of the World Bank Group Sanctions Board.