

# Dispute support

## Investor-State Arbitration

**Control Risks is a global risk consultancy which ensures that the challenges faced by global organisations – such as regulatory issues, litigation, reputational and other crises – are managed and resolved effectively.**

When clients are engaged in arbitration proceedings, Control Risks provides expertise to assess prospects, investigate facts and support settlement. The success of an arbitration can hinge on the quality of the information held by each party, and we can assist with gathering and analysing evidence. **With 35 global offices and over 500 investigations professionals**, we have an unrivalled track record and local presence in supporting clients to resolve disputes. Our experience in international markets and established network of in-country contacts make us market leaders in investigative analysis and complex problem-solving around the world.

### Our work in the context of investor-state arbitration includes:

#### Before action



#### Asset identification and valuation

Assess the asset profile of a counterparty including the location and value of property, their direct shareholdings and those held via state-owned enterprises, their financial standing and position with other creditors, to inform litigation strategy and implement freezing orders

#### Counterparty assessment

Investigate the modus operandi of a sovereign state, including their pressure points, decision makers, their level of control over state-owned enterprises, and international arbitration track record to assess how a dispute might play out and impact any ongoing operations

#### During a dispute



#### Investigation support

Evidence gathering to support an arbitration strategy, including fact-finding, witness interviews in remote jurisdictions and forensic data analysis

#### Forensic accounting

Analysis of financial information including accounting data, financial statements and management reporting to establish the facts of the matter or provide expert opinion

#### Digital forensics and eDiscovery

Data collection, preservation, analysis and presentation of electronic evidence, and recovery data

#### After settlement



#### Enforcement against sovereign debtors

Establish the status of notable assets via intelligence, site visits, social media mapping and using financial records to trace the flow of funds across the globe, and develop a recovery strategy that considers:

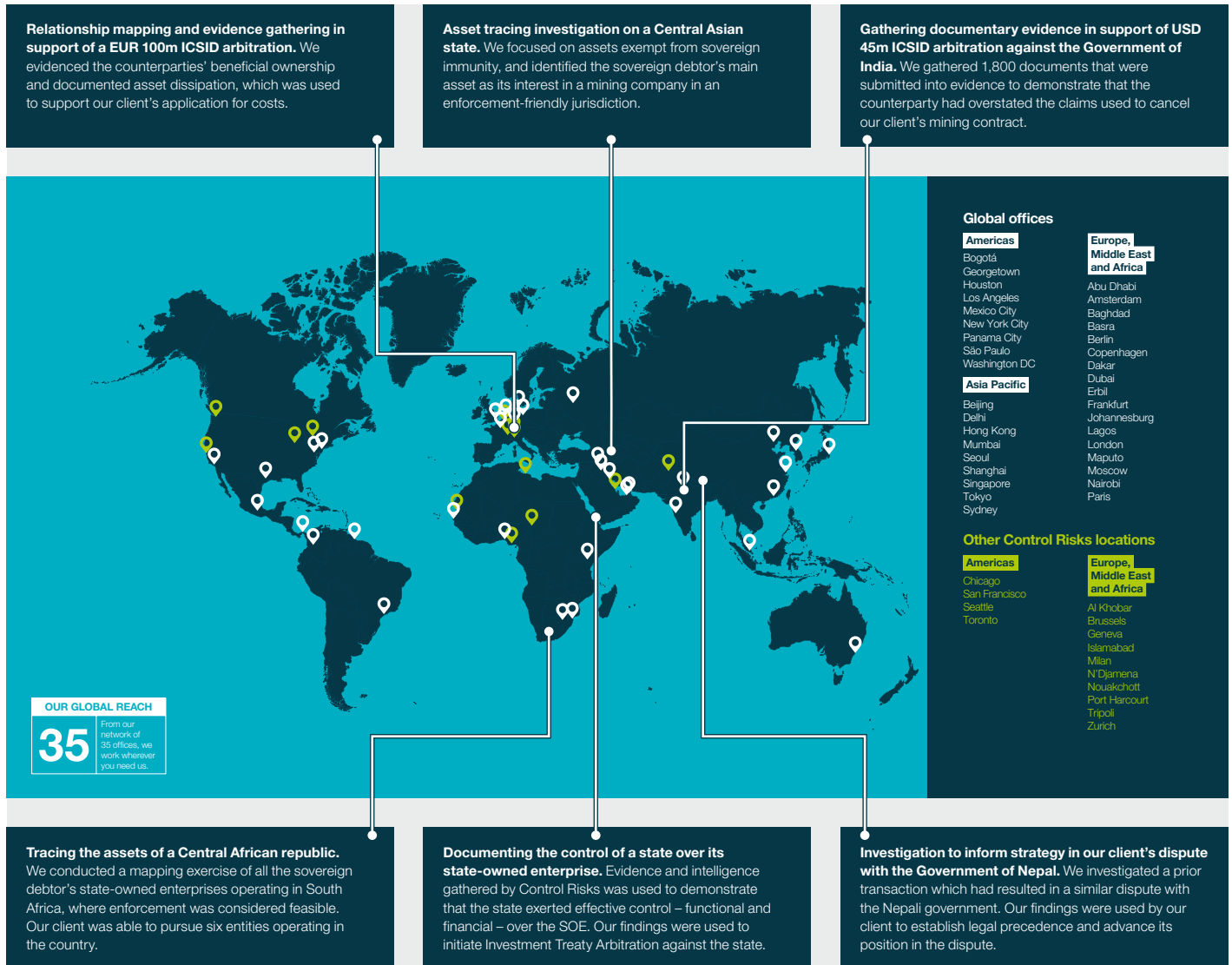
**State immunity:** we identify assets that are exempt from state immunity, and gather evidence to demonstrate that they qualify as undertaking commercial, rather than sovereign, activities

**Jurisdiction:** we prioritise jurisdictions where the sovereign debtor has a significant presence, and which have a legal climate that is amenable to enforcement

**Asset class:** we target assets that are important to the sovereign debtor, either due to their fiscal value, or for symbolic reasons

# Dispute support

We have conducted **dispute support work for multi-national clients for over 30 years**. During the last 12 months we have executed **over 1,000 investigative assignments across the globe**. Some examples of our recent work in support of investor-state arbitration are shown below:



For more information visit us online at [controlrisks.com](https://controlrisks.com)