Overview

For more than half a century, NERA experts have been central to client success in high-profile disputes, regulatory proceedings, and business challenges. Our international arbitration experts provide independent economic and financial analysis in both commercial and investment treaty arbitrations.

NERA has a large pool of experts with in-depth sector knowledge and extensive testifying experience. NERA experts are active advisory consultants who regularly provide strategic advice to investors, corporations, and governments on market restructuring issues, regulatory design and reform, due diligence, and competition matters. We deliver authoritative expert reports and testimony—whether valuations, damages assessments, or regulatory opinions—drawn from our specialised knowledge of regulated industries and competitive markets.

NERA experts have testified in all the major arbitration institutions, including the International Centre for Settlement of Investment Disputes (ICSID), International Chamber of Commerce (ICC), London Court of International Arbitration (LCIA), Permanent Court of Arbitration (PCA), Singapore International Arbitration Centre (SIAC), and the Arbitration Institute of the Stockholm Chamber of Commerce (SCC).

Specialised Sector Expertise

A deep understanding of the functioning of specific markets is essential to assist tribunals with insight and evidence. NERA experts regularly support industry players, investors, and public sector institutions in many industries, including:

- Energy markets and assets (gas, electricity, oil, renewables, and nuclear)
- Water
- Telecommunications
- Transport (airports, rail, and toll roads)
- Infrastructure
- Utilities
- Mining
- Banking, finance, and securities
- Manufacturing
- Distribution
- Pharmaceuticals and chemicals

Representative Engagements

Investor State Disputes

Expropriation of Investment in Water Resources
Testimony on behalf of a Central European government in a PCA claim made by a foreign investor following the government’s rejection of the investor’s mineral water export permit request.

At A Glance

NERA’s European International Arbitration Practice
Renewable Energy Sources
Testimony on the Bulgarian regulator’s decision to set preferential prices for small hydro power plants in an ICSID claim.

Changes to a Telecom Company License
Testimony on behalf of a privatized telecommunications company, quantifying the loss of the company’s value as a result of the changes in the company’s license, in an ICSID claim against a West African government.

Regulated Network Tariffs
Testimony on behalf of the Estonian government, providing an assessment of a privatized water company’s expected profitability, in response to the company’s ICSID claim against the government’s tariff increase rejection.

Long-Term Power Supply Contract
Provided a valuation of terminated power supply contracts with take-or-pay elements in ICSID and ICC disputes in Eastern Europe.

Failed Power Plant Project
Provided a cost-based assessment of damages in an ECT claim against a European government following the failure of a power plant project.

Changes to Mortgage Portfolio
Testimony on behalf of a Central European government in an ICSID arbitration involving a claim by a bank for alleged damages due to a law that retroactively converted foreign currency-linked loans.

Valuation Dispute
Testimony on behalf of a CIS government in an ad hoc (UNCITRAL) arbitration in which a foreign investor disputed the value of its share in a manufacturing company.

Commercial Disputes
Construction Delay Dispute – Gas
Provided evidence in an ICC claim, quantifying the potential lost profits resulting from the delay in construction of a large offshore Middle Eastern gas field project.

Post-M&A Dispute
Assessed damages to the seller following the termination of a Share Purchase Agreement (SPA) in a failed acquisition related to electricity distribution and retail assets.

NERA Economic Consulting (www.nera.com) is a global firm of experts dedicated to applying economic, finance, and quantitative principles to complex business and legal challenges. For over half a century, NERA’s economists have been creating strategies, studies, reports, expert testimony, and policy recommendations for government authorities and the world’s leading law firms and corporations. With its main office in New York City, NERA serves clients from more than 25 offices across North America, Europe, and Asia Pacific.

About NERA

Contacts

Dr Richard Hern
Managing Director
London: +44 20 7659 8582
Berlin: +49 30 700 1506 01
richard.hern@nera.com

WWL says Dr Hern is “an absolutely fantastic expert witness” and “the first choice for quantum assessment work.”