

# KAP-YOU (KEVIN) KIM


Senior Partner  
LL.B. LL.M.

**PETER & KIM**  
ATTORNEYS AT LAW



Bar admission : Republic of Korea, 1988;  
New York, 1995  
Nationality : Korean  
Languages : Korean, English, Japanese

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## AREAS OF EXPERTISE

- > Arbitration / Litigation
- > Investments & BITs
- > Trade law and WTO
- > Project Financing
- > Mergers & Acquisitions
- > Distribution / Agency
- > Joint Ventures / Consortia

## INDUSTRY SECTORS

- > Energy & Power
- > Oil & Gas
- > Pharmaceutical & Biotech
- > Automotive & Heavy Industry
- > Construction & Engineering
- > Shipping
- > Shipbuilding
- > Insurance
- > Real Estate

## PROFESSIONAL PRACTICE

Kap-You (Kevin) Kim is a senior partner at Peter & Kim in Seoul. He was previously a senior partner at Bae, Kim & Lee LLC, where he worked for the past three decades in various roles, including as the co-founder and head of the International Arbitration Practice and the head of the Domestic and International Disputes Group.

Over the past 30 years, Kevin has acted as counsel, presiding arbitrator, co-arbitrator or sole arbitrator in more than 300 cases of international arbitrations under various arbitration rules. Presently, he is involved in several investment and commercial arbitrations.

Among other positions that he holds, Kevin is an Advisory Board Member of the International Council for Commercial Arbitration (ICCA), the Chairman of the Korean Commercial Arbitration Board's (KCAB) International Arbitration Committee and an adjunct professor at the Seoul National University Law School.

In the past, Kevin has served as the Vice President of the ICC International Court of Arbitration (2014 – 2021), Secretary General of ICCA (2010 – 2014), member of the LCIA Court (2007 – 2012) and Vice Chair of the IBA Arbitration Committee (2008 – 2010).

## AWARDS AND RECOGNITION

- > Who's Who Legal (WWL): Global Elite Thought Leaders 2021; Thought Leaders Arbitration 2022; Thought Leaders Construction 2022
- > Global Arbitration Review: Leading Practicing Arbitration Expert in Korea (2006-2020)
- > Chambers: Star Individuals in Dispute Resolution – South Korea (2010 – 2022)
- > The Legal 500 Asia-Pacific: Leading Individuals in International Arbitration Band 1 (2010-2019)
- > Chambers Asia-Pacific Awards: Outstanding Contribution Award (2013)
- > Asialaw: Disputes Star of the Year (2015)
- > ALB Korea Law Awards: Dispute Resolution Lawyer of the Year (2020)

## CAREER

- > Senior Partner, Peter & Kim (2019 – present)
- > President, KCAB International Arbitration Committee (2017 – present)
- > Advisory Governing Board Member, International Council for Commercial Arbitration (ICCA) (2019 – present)
- > Vice President, ICC International Court of Arbitration (2014 – 2021)
- > Secretary General, International Council for Commercial Arbitration (ICCA) (2010 – 2014)
- > Adjunct Professor, Seoul National University Law School (2020 – present)
- > Editorial Board Member, Global Arbitration Review (2009 – present)
- > Partner and Senior Partner, Bae, Kim & Lee LLC (1996 – 2019)
- > Council Member, American Arbitration Association (AAA) (2009 – 2020)
- > Vice Chair, Arbitration Committee, International Bar Association (IBA) (2008 – 2010)
- > Court member, London Court of International Arbitration (LCIA) (2007 – 2012)

## EDUCATION

- > Harvard Law School (LL.M., 1994)
- > Judicial Research and Training Institute, Supreme Court of the Republic of Korea (1986 – 1988)

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### QUOTES

- Who's Who Legal (2020) says: "Kap-You (Kevin) Kim 'is a key figure in the Korean arbitration market' who has built 'a strong network of arbitrators and practitioners' and is widely considered 'a statesman in the market'."
- Chambers (2019) says: "Both a leading practitioner domestically and 'highly regarded internationally', 'widely acknowledged as a pioneer in international arbitration in Korea and a very highly regarded individual'."
- Chambers Asia (2006-2019) also reports: "One of the most respected figures in the Asian arbitration."

- > Seoul National University Law School (LL.M., 1988)
- > Seoul National University Law School (LL.B., 1985)

### PROFESSIONAL ASSOCIATIONS

- > Korean and Seoul Bar Associations
- > New York Bar Association
- > Panel of Arbitrators/Mediators/Experts: KCAB, JCAA, ICSID, SIAC, HKIAC, KLRCA, SCIA, BAC, MIAC, VMC, ICANN, SHIAC, VIAC, BIAMC

### REPRESENTATIVE CASES

- > Counsel in an ICC arbitration seated in Korea, involving a dispute arising from a large real estate development project in Korea and its financing, securing a win on all claims made against a Korean global real estate developer in the aggregate amount of over USD 2 billion.
- > Counsel in a successful, high-profile ICC arbitration involving a dispute among shareholders for control over a major Korean oil refining and marketing company, with the underlying claims valued at over USD 3 billion (or USD 5 billion including counterclaims). The arbitration award won GAR's "Arbitration Win of the Year" in 2011.
- > Counsel in an ICSID arbitration under the Korea-Belgium/Luxembourg BIT, involving a claim against the Government of Korea and securing a favourable award in the aggregate amount of over USD 5 billion.
- > Counsel in an ICC arbitration involving a dispute arising from the repair works of natural gas marine plants in Qatar. Claims were made against a Korean contractor in the aggregate amount of over USD 8 billion.
- > Counsel in a successful high-value LCIA arbitration seated in London, involving a dispute arising from the procurement, construction, and commissioning of the first nuclear power station in the United Arab Emirates.
- > Counsel in an ICC arbitration involving claims by a multinational private equity firm against a Korean bank in the amount of over USD 1.2 billion and securing a favourable award for our client.
- > Counsel for a Korean investment fund in a US court litigation arising from a transaction involving the acquisition of 15 luxury hotels in the US net worth USD 5.8 billion.
- > Presiding arbitrator of an ICSID ad-hoc annulment committee in relation to an investment arbitration award regarding Spain's renewable energy policy.
- > Presiding arbitrator in an ad-hoc arbitration conducted under the UNCITRAL Arbitration Rules 1976, relating to an infrastructure operating contract between a state-entity of the Philippines and a private party.

Various cases of international arbitrations under various arbitration rules – see website for more details.

### PUBLICATIONS

- > Co-author, "Arbitration Law & Practice", Revised ed., Pakyoungsa, 2016
- > Co-author, "Arbitration Law of Korea: Practice and Procedure", Bae, Kim & Lee LLC International Arbitration and Litigation Group, Juris Publishing, 2011. 12.

Various articles on international arbitration and litigation – see website for more details.

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