

John Gilbert

Partner

john.gilbert@bracewell.com

LONDON

+44.(0).207.448.4296



John Gilbert, co-chair of Bracewell's international arbitration practice, resolves disputes across the energy sector through litigation, arbitration, expert determination and mediation. He advises on a broad range of disputes related to oil and gas exploration and production, the construction and operation of pipelines and the downstream sector. John has particular experience representing clients locked in disputes over gas sales agreements, including price reviews and on the operation of take-or-pay provisions. In addition, he advises on a broad range of disputes relating to power generation, both conventional and renewables.

John advises on the protection of investments through bilateral and multilateral investment treaties and has represented clients in claims made under treaties.

John has also represented clients in issues concerning ESG, including matters concerning business and human rights, anti-bribery and money laundering obligations and on conducting investigations. For six years, John previously served as in-house counsel in the dispute resolution team of an oil and gas supermajor.

John has been ranked by *Chambers UK* each year since 2020 and by *The Legal 500 United Kingdom* each year since 2018, where clients report that he is "extremely bright and goes to great lengths to ensure his clients get the service they deserve." (2022).

Industries

[Energy](#)

Practices

[Litigation](#)

[Construction Litigation](#)

[International Arbitration](#)

[Oil & Gas](#)

Experience

International oil company

- dispute concerning the price re-determination provisions of two crude oil sale and purchase agreements
- LCIA arbitration concerning claims under the leakage and warranty provisions of a SPA for the entire issued share capital of an oil and gas company

International E&P company

- two ICC arbitrations relating to amounts payable by non-operating parties under the accounting procedure to a number of JOAs concerning West African concessions
- successful LCIA arbitration relating to amounts payable by non-operating parties under the accounting procedure to a JOA concerning a North African asset, including advising on the default mechanism under the JOA*

UK energy company

- expedited LCIA arbitration concerning the application of pre-emption rights to the acquisition of North Sea oil and gas assets

International consultancy

- LCIA arbitration concerning non-payment of fees in respect of consultancy services concerning a North African nuclear power station

Independent power company

- defects, delay, liquidated damages and termination issues arising from the construction of a power plant in West Africa
- dispute with a West African national electricity company concerning deemed capacity charges and other amounts due under a PPA

Developer of a solar project

- ICC arbitration concerning contested claims for force majeure and delays in relation to the construction of a project in Latin America

Developer of renewables projects

- numerous force majeure issues arising under PPAs and EPC Contracts in relation to wind and solar projects in the Middle East
- disputes with the construction contractors regarding defects, delay and liquidated damages claims in relation to a wind project in the Middle East

Independent energy company

- dispute concerning the performance and termination of a contract for the supply of onshore 3-D seismic services

International oil and gas company

- dispute with an oilfield services contractor concerning a contract for the supply of services in relation to a North Sea field

Upstream company

- English high court proceedings arising from a dispute between parties to a joint operating Agreement in relation to costs chargeable to the joint venture account

Major international oil and gas company

- concerning liability to tax following the sale of an African asset, including advising on potential arbitration

Shipyard

- LCIA arbitration concerning a dispute over conversion and upgrading work on an FPSO*

North sea operating company

- Commercial Court proceedings relating to the requirement for approval to drill a well, including injunction application*

Engineering company

- LCIA arbitration arising from a joint venture agreement for the development of subsea compression technology concerning the ownership of intellectual property rights in the technology*

Fuel distributor

- ad hoc arbitration under the UNCITRAL Rules arising from the sale of a downstream fuel distribution business in West Africa*

Owner of oil pipeline

- ICC arbitration arising from the operation of an oil pipeline*

Multinational energy company

- bilateral investment treaty arbitrations at ICSID and under the UNCITRAL Rules following the nationalization of two businesses in a Latin American state*

Supermajor

- LCIA arbitration arising from the construction of a semi-submersible drilling and production platform*

Buyers and sellers

- significant number of price reviews under agreements for the sale of pipeline gas and LNG and in the determination of those disputes through arbitration*

Sellers of LNG and pipeline gas

- advising on a broad range of disputes under gas sales agreements including on the operation of take-or-pay provisions, the replacement of indices in price formulae, quality of gas, metering and force majeure notices*

* *Work completed prior to Bracewell*

Credentials

Education

- Nottingham Law School, L.P.C., 1998
- University of Cambridge, England, B.A., 1997, *with honors*

Bar Admissions

- Registered to conduct proceedings before the DIFC Courts
- Solicitor of the Senior Courts of England and Wales

Affiliations

- Chartered Institute of Arbitrators
- Association of International Energy Negotiators
- IBA UK Energy Lawyers Group

Recognition

Chambers Global

- UK – Energy & Natural Resources: Disputes, 2024 – 2025
- International Arbitration, 2025

Chambers UK

- Energy & Natural Resources: Disputes, 2020 – 2025
- International Arbitration, 2025

The Legal 500 United Kingdom

- Dispute Resolution – International Arbitration, 2018 – 2025
- Dispute Resolution – Commercial Litigation, 2020 – 2025
- Finance – Emerging Markets, 2024 – 2025
- Projects, Energy and Natural Resources – Oil & Gas, 2022, 2025 (Leading Partner, 2025)
- Projects, Energy and Natural Resources – Power (including Electricity, Nuclear and Renewables), 2020, 2024

Lawdragon Inc.

- *Lawdragon 500 Leading Global Litigators*, International Litigation & Arbitration, especially Energy, 2023 – 2024

Resources

Dispute Resolution in the Oil and Gas Sector: Q&A

Article

Predictable Unpredictability: Stranded Assets and the Scope for Disputes under PSCs

Blog Post

VERSION 2 UNPUBLISHED: Predictable unpredictability: stranded assets and the scope for disputes under PSCs

Blog Post

Strategic Use of International Arbitration & Mexico

Video

All's Well That Ends Well? NSTA Launch Investigation Into Oil Well Decommissioning Delays

Blog Post

Oil Spot Trading: Whose Terms Apply – The Incorporation of English Jurisdiction Clauses in Oral Agreements

Blog Post

DSAs: Calculating Security and the Role of Expert Determination

Blog Post

Challenging Policy on Climate Change Grounds

Article

Expert Determination in the Energy Sector – When Will the Courts Intervene?

Blog Post

The ENRC Saga – Not Just a UK Concern

Blog Post

Recent UK Court Rulings on Scope 3 Emissions: Have the Floodgates to Climate Change Litigation Fully Opened?

Blog Post

LNG Delivery Disputes

Article

Reinforcing the Regime: Key Updates to Arbitration in England and Wales

Blog Post

Publications & Speeches

- “LNG Delivery Disputes,” *The Law and Business of LNG, Fourth Edition*, Globe Law and Business, 2024.
- “Joint Venture Disputes in the Energy Sector,” Energy Arbitration Club, January 2024.
- “Joint Venture Disputes in the Energy Sector,” AIEN & LCIA Dispute Resolution in the International Energy Business, October 2023.
- Co-Author, *Joint Venture Disputes in the Energy and Natural Resource Sectors*, Oxford University Press, September 2023.
- “Corporate joint venture dispute – dealing with deadlock: initial considerations,” *Lexis PSL*, March 2023.
- “Dispute Resolution in the Oil and Gas Sector: Q&A,” *Thomson Reuters*, February 2023.
- “Challenging Policy on Climate Change Grounds” *Energy Voice*, April 2022.
- “Arbitration in the energy sector—an introduction” *LexisPSL*, March 2021.
- “A Global Review of JOA Disputes - A Fireside Chat,” AIPN, December 15, 2020.

- "A Global Review of Joint Operating Agreement Disputes," *AIPN Research Paper*, June 2020.
- Challenges in Arbitration, *LexisNexis Butterworths*, November 2019.
- "Joint Operating Agreements in the International Oil & Gas Industry: ICC Arbitral Awards," *ICC Dispute Resolution Bulletin*, 2019, Issue 3.
- "Joint Operating Agreement Disputes," AIPN & ICDR Dispute Resolution in the International Oil & Gas Business Conference, October 22-23, 2019.
- "Iran: Re-Imposed US Sanctions Fall-Out," *Petroleum Review*, March 2019.
- "Use it or Lose it," *Petroleum Review*, May 2018.
- "Taming Price Review Clauses: Lessons From the Transactional and Arbitration Battlefields," paper for LNG 18 International Conference & Exhibition on Liquefied Natural Gas, April 2016.
- "Influence of the State in Upstream Disputes" and "Gas Price Disputes," Conference on Energy Arbitration & Dispute Resolution in the Middle East & Africa, March 2016.
- "Multi-Party and Multi-Contract Arbitration," a chapter in *Arbitration in England* (Kluwer, 2013).