

Emmanuel Gaillard (1952-2021)

GML is deeply saddened by the sudden and unexpected passing of Professor Emmanuel Gaillard on April 1st 2021. To his family, friends and colleagues, we send our heartfelt condolences.

“I have lost a friend and a colleague,” said Tim Osborne, Chief Executive of GML, “while the legal profession has lost one of its leading lights. Emmanuel is irreplaceable, and will be terribly missed by everyone who had the privilege to work with him.”

Having founded Shearman & Sterling’s international arbitration practice in 1987, Emmanuel Gaillard led an ever-growing team with integrity, distinction and success for three decades. He was a leader, practitioner and teacher who took the profession to new heights, leaving a brilliant and enduring legacy for generations of lawyers to come. He taught at the Yale and Harvard Law Schools, the Sciences Po Law School, and the New York University School of Law in Paris.

From 2005 to 2014, Emmanuel Gaillard led the team representing the former majority shareholders of Yukos Oil Company at an international tribunal in The Hague, which became a landmark of international arbitration. In its Interim and Final Awards the Tribunal reached unanimous decisions in the shareholders’ favour, holding the Russian Federation accountable for the destruction of Yukos and the expropriation of the shareholders’ investment. Those Arbitration Awards were the true victory for the rule of law, and an historic ruling in the field of international arbitration.

From 2014 Emmanuel Gaillard was at the forefront of the former Yukos shareholders’ enforcement efforts, leading the enforcement process against the Russian Federation in France, and playing the key role in the enforcement effort in other jurisdictions, including Belgium, the United States, and the United Kingdom, as well as in defending the setting-aside proceedings brought by the Russian Federation in The Netherlands.

Emmanuel Gaillard’s work and spirit will continue in a new company, Gaillard Banifatemi Shelbaya Disputes, which he founded with some of his closest colleagues. We share their loss today. We will continue working together, undeterred by this great loss, and honour Emmanuel’s memory by seeing the case, on which we worked with him so closely, through to final victory.