David Brynmor Thomas KC

International Arbitrator and Mediator

T +44 20 3589 5729 | E dbtkc@davidbrynmorthomaskc.com
Practice Manager: Rachel Newman, NEWMANS ROW | E RN@davidbrynmorthomaskc.com
1 Paternoster Lane, London, EC4M 7BQ, United Kingdom
Al Sarab Tower, ADGM, Abu Dhabi, United Arab Emirates

CALL: 2011 | **SILK:** 2019

2001 | Higher Rights of Audience (England and Wales)

1993 | Solicitor (England and Wales)

1991 | Law Society Finals (First Class Honours)

1990 | Common Professional Examination (Commendation)

1987 | MB, ChB (Medicine - Edinburgh)

Following a career of over 30 years dealing with all aspects of commercial litigation and arbitration, as arbitrator or counsel, across more than 30 jurisdictions, ultimately as King's Counsel practising from chambers in London, David became a full time neutral in 2024 and now exclusively sits as arbitrator and mediator.

David is a leading international commercial arbitrator and mediator. Having originally qualified in Medicine, David went on to study law and has specialised for many years in construction, projects and energy disputes whilst remaining comfortable dealing with cases that have a highly scientific or technical basis, including statistics, organic and inorganic chemistry, microbiology, pharmacology, biotechnology and metallurgy.

David has been appointed in over 91 disputes as sole, party-appointed or presiding arbitrator in *ad hoc* and institutional commercial arbitrations; and as mediator. David has been appointed as an Emergency Arbitrator by both the International Center for Dispute Resolution (ICDR) and the International Chamber of Commerce (ICC). Although most appointments are made by party autonomy, David has also been appointed directly by the AAA, DIAC, ICC, ICDR, LCIA, SIAC, SCC, SCCA and SAA.

As a CEDR accredited mediator he has mediated commercial insurance and construction issues and regularly assists the ADGM Court-annexed mediation process.

David specialises in the conduct and resolution of complex commercial disputes, encompassing a wide range of industry sectors, including high value, complex construction and engineering projects; power generation and other energy-related issues; wind and solar farms; water and desalination plants; waste disposal; transportation, including rail, aviation and highways; oil refineries; dams; shipbuilding; oil and gas and mining; defence; bonds, guarantees, pensions and other financial instruments; insurance; technology; intellectual property rights and matters arising under EPC and other contracts for the execution of complex construction and engineering projects; contractor and sub-contractor chains; PSAs, JOAs, and similar

Memberships and appointments

AAA, CIArb, DIA, DIAC, ICC, LCIA, SIAC, SCC, SCCA, SAA, TAC

ICDR International Panel

Combar and Co-Chair of Combar India Committee

Tecbar

Society of Construction Law

International Arbitration Club

Worshipful Company of Arbitrators

Positions held

Advocacy trainer for Middle Temple

Trustee and Chair, Board of Trustees (2011-2016) - Chartered Institute of Arbitrators

Education and Membership Committee – Chartered Institute of Arbitrators

UNCITRAL working Group II (for work on revisions to the UNCITRAL Model Law and to the UNCITRAL Arbitration Rules)

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ICC Commission (including its work on the ICC Rules revision)

Co-editor of the Global Arbitration Review's Guide to Construction Arbitration

Various conference providers, including the Institute for Transnational Arbitration and Juris

Co-chair – Institute for Transnational Arbitration Annual Conference - 2016

Global Arbitration Review editorial advisory board

Career
39 Essex Chambers (2011-2024)
Herbert Smith (1991-2011)

arrangements; and disputes in professional partnerships, joint ventures and shareholders' agreements.

David has also advised on issues arising from sanctions (in particular under United Kingdom and EU sanctions regimes); the drafting and amendment of industry-wide dispute resolution provisions; and the ability of Governments to sue on behalf of their citizens for alleged mass torts.

Teaching, writing and other arbitration related activities

David is an honorary professor of law in the School of International Arbitration in the Centre for Commercial Law Studies at Queen Mary University of London, where he teaches *International Construction Contracts and Arbitration*.

In recognition of the under-representation of women on international arbitral tribunals, in 2015 members of the arbitration community drew up a pledge to take action (the Pledge). The Pledge seeks to increase, on an equal opportunity basis, the number of women appointed as arbitrators in order to achieve fair representation as soon as practically possible, with the ultimate goal of full parity. Having signed both the Pledge and subsequent pledge for the same diversity of Expert Witnesses, David continues actively to encourage diverse panels within arbitral proceedings and at conferences and similar activities when in a position to do so. David, continues to observe and support this pledge in his independent practice.