

Haya Rashed Al Khalifa Bureau of Attorneys  
1st Floor, BDB Building,  
Diplomatic Area, P.O. Box 1188,  
Kingdom of Bahrain  
[hraklf.com](http://hraklf.com)



HAYA RASHED AL KHALIFA

ATTORNEYS AT LAW & LEGAL CONSULTANTS



## SHEIKHA HAYA RASHED AL KHALIFA

T +973 1753 7771

F +973 1753 7117

[h.alkhalifa@hraklf.com](mailto:h.alkhalifa@hraklf.com)

### AREAS OF PRACTICE

- Dispute Resolution
- Arbitration
- Construction
- Banking and Finance
- Telecommunications

### LANGUAGES

- Arabic
- English
- French

### PRACTICE OVERVIEW

Sheikha Haya Rashed Al Khalifa is the principal and founding partner of Haya Rashed Al Khalifa Law Firm, Bahrain. Sheikha Haya was one of the first two women in Bahrain to practice law when she was admitted as a lawyer in Bahrain in 1979. Sheikha Haya has built an impressive reputation as an advocate and arbitrator in complex commercial disputes spanning across the GCC region.

Sheikha has had an illustrious diplomatic career. From 2000 to 2004 she was Bahrain's Ambassador to France and its non-resident Ambassador to Belgium, Switzerland and Spain, becoming the first Bahraini woman Ambassador. She is also Bahrain's permanent delegate to UNESCO. She was the President of the 61st Session of the United Nations General Assembly which closed in September 2007. She is the third woman to hold the position. Additionally, she is the recipient of several notable awards including the United Nations Millennium Development Goals Special Award, the Path to Peace Award from the Path to Peace Foundation, and the Social Creativity Award at the Sixth Conference of the Arab Thought Foundation.

Sheikha Haya has over 35 years experience acting for clients in the Bahraini Courts and arbitration. She has acted on some of the biggest claims to be decided by the Bahraini Courts.

Sheikha Haya is also a respected arbitrator, adjudicator and mediator. She is presently the Chairperson of the Board of Trustees of the Bahrain Chamber for Dispute Resolution BCDR, a position she has held since 2010.

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## NOTABLE MANDATES

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Sheikha Haya regularly represents clients and sits as expert or arbitrator (sole arbitrator, co-arbitrator, and chair) in ICC, BCDR, GCCCAC and ad-hoc arbitrations in real estate, construction, projects, sale and purchase disputes and commercial disputes. Her notable mandates include:

- Successfully defended a private client in a USD150m plus domestic arbitration under ICC rules seated in Paris;
- Acted for claimant in a high-profile ad-hoc arbitration seated in Bahrain and London in a construction dispute involving over USD 300m;
- Represented a French company in its €180m dispute against the Kingdom of Bahrain in a Paris seated ICC Arbitration;
- Appointed as co-arbitrator in an international arbitration between a Saudi and French Company in a construction dispute seated in Bahrain;
- Acting as legal and Sharia expert in a BCDR arbitration case raised under the rules of BCDR by the arising from a Sharia compliant finance facility to provide expert evidence on Islamic concepts of finance.
- Acting for a prominent real estate developer in Bahrain against another prominent developer in Bahrain in a BCDR arbitration with a dispute value over USD 25m;
- Presently engaged as lawyer in various domestic and international ad-hoc and institutional arbitrations.

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## POSITIONS

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- Chairperson of the Board of Trustees - Bahrain Chamber for Dispute Resolution since 2010.
- Chairperson ICC Bahrain National Committee 2012.
- President elected for the world heritage committee at the UNESCO 2018.
- Member of Board Counsel in American Arbitration Association “AAA” Commencing on 2009
- Ex-Chairperson, Consumer Advisory Group Telecommunications Regulatory Authority (TRA), Bahrain.
- President of the 61st Session of UN General Assembly (2007).
- Legal Advisor at the Royal Court, Kingdom of Bahrain.
- Honorary Member in the list of Arbitrators of GCC Commercial Arbitration Center.
- Alternative member of the Kingdom of Bahrain at ICC’s International Court of Arbitration.
- Board Member ICC Bahrain and Chairperson Lawyers Committee, ICC Bahrain.
- Ambassador of the Kingdom of Bahrain to :-
  - France between 01.02.2000 and 01.08.2004
  - Belgium between 10.06.2001 and 01.08.2004
  - Switzerland between 22.06.2001 and 01.08.2004
  - Spain between 13.12.2001 and 01.08.2004
- Permanent delegate of the Kingdom of Bahrain to UNESCO between 17.04.2000 and 11.08.2004.

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## EXPERIENCE

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### **2004 - present**

Managing partner of Haya Rashed Al Khalifa Bureau of Attorneys, Bahrain.

### **2000 - 2004**

Diplomatic appointments for the Kingdom of Bahrain.

### **1984 - 1999**

Private practice. Founded Haya Rashed Al Khalifa Bureau of Attorneys, Bahrain.

### **1979 - 1983**

Attorney at law and legal consultant.

### **1975 - 1979**

Legal Counsel, Ministry of State for Legal Affairs, Bahrain.

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## MEMBERSHIPS

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- Member of the Senior Panel of Jurors of Princess Sabeeka Bint Ibrahim Al Khalifa Global Award for Women's Empowerment (United Nation Entity for Gender Equality and the Empowerment of Women).
  - Member of Council of Cairo Regional Centre for International Commercial Arbitration as of January 2018.
  - Elected Member in the General Council of World Chambers Federation International Chamber of Commerce, Paris 2013-2015.
  - Member of International Bar Association since 1992.
  - Member of IBA (International Bar Association) Committee (D) – Arbitration & Dispute Resolution; Vice Chairwoman 1997 -1999. (The first attorney in Middle East appointed to this position).
  - Ex-Member at the WIPO, formed the advisory committee in the arbitration center.
  - Ex-Member at the Supreme council of culture, arts and literature.
  - Ex-Member at Bahrain television & radio authority, Ministry of information (1991 – 1992). Member at (Bahrain Society for Child Development).
  - Member at (Bahrain Bar Association vice chairperson (1991 – 1993).
  - Member at the Arbitration Center of International Chamber of Commerce (ICC), Paris – Representative of kingdom of Bahrain, 2000 – 2010.
  - Member at Family Law Committee since 1980 established to detail the importance of the family law in Bahrain to affirm the status of women and children in Islamic law court.
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## EDUCATION

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- Bachelor of Law (Kuwait, 1974).
- Courses (DESUP) in international Public Law (Droit International Public) from Des organization international ET Universitie de Paris, Sorbonne, France, 1977.
- Diploma in Civil Private Law, 1986.
- Diploma in Comparative Law, University of Ain Chams, Egypt (DEA), 1988.
- French Language Courses – Sorbonne Paris & ADIF Lyon, France.

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## RESEARCH PAPERS AND CONFERENCES

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### Papers in international arbitration and dispute resolution:

- *“Negotiating and Arbitrating Against Government Entities”* – IBA Dusseldorf, Germany – October, 1998.
- *“How to Keep Arbitration from Being a Rich Man Justice”*, Tunis – March, 1999.
- *“Interim Measures in International Arbitration in Arab Countries”* – IBA Barcelona, September, 1999.
- *“Removal and challenge of Arbitrators According to Bahrain law”* – ICCA international Arbitration Conference, Bahrain 1993. Published in ICCA congress series No. 6.

### Conferences:

- Participated in many lectures in Bahrain related to legal position of woman’s matrimonial matters in Islam.
  - Rules of ICC (Commercial Arbitration of the Chamber of Commerce) organized by the Bahrain Bar Association – 2005.
  - Arab Women and a Civil Society Point of View to the Legal Status of Arab women. Conference in the Foundation of the Arab World – 2004 Paris.
  - Personal experience in Diplomacy – Abu Dhabi – institute for Diplomatic studies – 2003.
  - Judicial systems in the 21 "Arab Judiciary Forum – 2003 – Manama, Bahrain.
  - Arab women under the constitutional law – the conference of the Arab women – Manama, Bahrain 2002.
  - International arbitration – the Gulf cooperation Council – Conference organized by the ICC, Manama, Bahrain 2002.
  - *“Arab Women Under Law”* – A conference in the Arab World Institute – GCC and Yemen as examples – Paris, 2000.
  - Participate in the conference which was held at the United Nations to celebrate the 50 years of the New York Convention 1958 for the application of judicial decisions –1998.
  - The status of Arab women in Islamic law Case study from Bahrain, Kuwait, Muscat and Amman conference was organized by a group of women GCC –1986.
  - Resolving disputes in a society with mixed legal traditions (Dubai 2012).
  - Participated in International Bar Association Conferences in Cannes (1992), New Orleans (1993), Paris (1995), Berlin (1996), New Delhi (1997), Vancouver (1998), Barcelona (1999), Prague (2005), Dubai (2011) etc.
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