



Andrew B. Loewenstein

Associate

Boston

617.832.3015 direct

617.832.7000 fax

aloewens@foleyhoag.com

SERVICES

Litigation

International

Business Crimes &
Government Investigations

Alternative Dispute Resolution

Intellectual Property Litigation

Honors/Awards

Listed as a 'Rising Star' in
Business Litigation, SUPER
LAWYERS'
MASSACHUSETTS RISING
STARS: A COMPREHENSIVE
LISTING OF THE BEST
YOUNG LAWYERS IN
MASSACHUSETTS (2005,
2006, 2007)

Law Clerk to the Hon. William
J. Holloway, Jr., U.S. Court of
Appeals for the Tenth Circuit

American Criminal Law Review,
Managing Editor

BROWN JOURNAL OF
WORLD AFFAIRS, Editor-in-
Chief

Lexis-Nexis William Moore
Federal Practice Award for
Federal Legal Scholarship
(national award)

EDUCATION

Brown University, A.B.,
magna cum laude, phi beta
kappa, with honors in
political science

London School of
Economics, M.Sc.

Georgetown University Law
Center, J.D., *cum laude*

Andrew Loewenstein is an attorney with the International Litigation and Arbitration practice group of Foley Hoag LLP, where he focuses on disputes involving public international law. He has particular expertise advising governments, corporations, and non-governmental organizations on international law, including with respect to international boundary disputes, environmental law, armed conflict, the law on the use of force, and international human rights and humanitarian law. He frequently represents governments and state-owned corporations in cases before the International Court of Justice, international arbitral tribunals, and courts in the United States, in a wide variety of matters, including those concerning cross-border investment, infrastructure projects, and commercial contracts. Mr. Loewenstein serves as Co-Chair of the Boston Bar Association's Public International Law and Human Rights Committee.

In his domestic litigation practice, Mr. Loewenstein represents corporate and individual clients in commercial and intellectual property litigation and arbitration. He has particular experience in contract disputes, fraud, trademark and trade dress infringement, trade secrets, and economic espionage. A significant part of his practice involves representing corporations, corporate officers and directors, and other individuals in criminal, civil, and regulatory investigations. His corporate clients are in industries ranging from financial services and health care to energy and construction, and he assists such individual professionals as managers, executives and engineers.

REPRESENTATIVE EXPERIENCE - INTERNATIONAL LAW

- Represented the Republic of Georgia before the International Court of Justice in the Case Concerning Application of the International Convention on the Elimination of All Forms of Racial Discrimination (*Georgia v. Russia*) in asserting claims against Russia for ethnic cleansing and other forms of ethnic violence in South Ossetia and Abkhazia
- Represented the Republic of Uruguay before the International Court of Justice in the Case Concerning Pulp Mills on the River Uruguay (*Argentina v. Uruguay*) in defense of allegations that construction and operation of pulp mills near the international border with Argentina violate international environmental obligations
- Represented the Republic of Ecuador before the International Court of Justice in the Case Concerning Aerial Spraying Along the Border (*Ecuador v. Columbia*) concerning environmental damage and related human rights claims caused by Columbia's spraying of herbicides near the international border

- Represented the Republic of Guyana in international arbitration with the Republic of Suriname over the delimitation of a disputed international maritime boundary before an arbitral tribunal constituted under the United Nations Convention on the Law of the Sea
- Counseled a Latin American state regarding an international maritime boundary dispute with a neighboring state
- Counseled an African state regarding the delimitation of unsettled international maritime boundaries with neighboring states
- Served on the Atrocities Documentation Team tasked by the U.S. State Department with investigating allegations of international crimes in the Darfur region of Sudan
- Advised a major human rights organization regarding the application of public international law to the situation in Darfur, including with respect to genocide and reparations for violations of international law
- Counseled a human rights organization regarding international criminal law, including with regard to genocide and crimes against humanity
- Represented the Republic of Ecuador in defense of alleged claims of expropriation before the International Center for the Settlement of Investment Disputes
- Represented the Kingdom of Thailand in the U.S. District Court for the Southern District of New York in defense of mass tort claims arising from the Asian Tsunami
- Represented the Republic of Guyana in the U.S. District Court for the District of Columbia in defense of alleged breaches of the contract privatizing the country's telecommunications sector brought by the principal telecommunications provider
- Represented a foreign sovereign in ad hoc international arbitration with investors over the privatization of the national electric company
- Represented a foreign sovereign in international arbitration before the International Centre for Dispute Resolution regarding the alleged expropriation of assets of U.S. investors
- Represented a foreign sovereign in international arbitration with U.S. investors before the International Centre for Dispute Resolution regarding the sale, operation, and refurbishment of an electric power plant

BAR AND COURT ADMISSIONS

- Massachusetts
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court for the District of Massachusetts

PUBLICATIONS

- Bosnia and Herzegovina v. Serbia and Montenegro, THE OXFORD COMPANION TO INTERNATIONAL CRIMINAL JUSTICE (Oxford University Press, forthcoming)
- Divergent Approaches to Determining Responsibility for Genocide: The Darfur Commission of Inquiry and the ICJ's Judgment in the Genocide Case, JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE (September 2007) (with Stephen A. Kostas)
- Words Fail, THE NEW REPUBLIC (May 15, 2006)
- Developments in the Foreign Sovereign Immunities Act, THE INTERNATIONAL LAWYER (Summer 2004)
- Supreme Court Decides Important Foreign Sovereign Immunity Issues: Dole Food Corp. v. Patrickson, INTERNATIONAL LAW NEWS (Summer 2003) (with Janis H. Brennan)
- The Foreign Sovereign Immunities Act, THE INTERNATIONAL LAWYER (Summer 2003)
- The Foreign Sovereign Immunities Act and Corporate Subsidiaries of Agencies or Instrumentalities of Foreign States, BERKELEY JOURNAL OF INTERNATIONAL LAW (Spring 2001)
- Judicial Review and the Limits of Prosecutorial Discretion, AMERICAN CRIMINAL LAW REVIEW (Spring 2001)
- Chinese Fake Outs, FOREIGN POLICY (March/April 2001)
- British Efforts to Influence Kuwaiti Domestic Policy During the Reign of Sheikh Ahmad al-Jaber, MIDDLE EASTERN STUDIES (April 2000)
- Employment-Related Crimes, AMERICAN CRIMINAL LAW REVIEW (May 1999)
- Beyond Russia: Interview with President Eduard Shevardnadze, BROWN JOURNAL OF WORLD AFFAIRS (Summer 1995)

LECTURES

- Recent Developments in Inter-State Dispute Resolution in Latin America, September 26, 2007 (Lima, Peru)
- The Role of Amicus Briefs in International Dispute Resolution, September 5, 2006 (Riga, Latvia)
- Darfur and Genocide, Conference in Honor of Adriaan Bos, March 31, 2006, Vrije Universiteit (Amsterdam, Netherlands)
- The Destruction of Livelihoods and Genocide, March 23, 2006, Presentation at the International Criminal Court (The Hague, Netherlands)
- Lectures on international law at numerous universities, including The Fletcher School of Law and Diplomacy, Harvard, Brown, and Brandeis