Hernando Otero

Washington, District of Columbia

Primary Areas of Expertise

International
Cross-Border Investment
Construction
Energy

Professional Summary

Professor and international arbitration and mediation practitioner concentrating on high-value cross-border investment, construction, and energy disputes as counsel and neutral before ICSID, the ICC, and regional ADR centers. Fluent in English and Spanish, experienced in complex multi-party proceedings involving governments, state-owned entities, and multinational corporations in Latin America.

Current Employer-Title

Washington College of Law Center on International Commercial Arbitration - Professor and Fellow

Profession

Attorney, Neutral, Professor

Work History

Arbitrator/Mediator/Professor, Washington College of Law Center on International Commercial Arbitration, 2015-Present; Counsel of Record, World Bank's Centre for Settlement of Investment Disputes, 2003-Present; Advisor, Organization of American States (trade unit) 2002-2003; Advisor, United Nations Development Program - Colombian National Accountability Office, 1998-2000.

Experience

Neutral in high-value cross-border disputes with a focus on the energy and construction sectors drawing on experience as counsel of record in international disputes. In the energy sector, involved primarily in power generation and oil & gas project disputes. In the construction sector, involved in FIDIC contract disputes (red and silver book). Fluent in English and Spanish-language proceedings and knowledgeable of nuances of working with private and government parties, counsel, and institutions in Latin America. Course advisor and lecturer with the International Law Institute in Washington D.C.

Mediator Experience

Knowledgeable in complex multi-party commercial disputes involving government officials, insurers, and financial institutions, in which evaluating risk and making informed and comparative decisions about dispute resolution options and parallel proceedings in both courts and private proceedings are necessary.

Representative Issues

Handled as a Mediator

Mediated disputes arising out of regulatory frameworks involving government entities and officials.
Assisted parties in evaluating parallel proceedings in national courts and private dispute resolution forums.
Worked with damages valuation methodologies and technical expert evidence (including financial, engineering, and industry experts) to help parties understand risk, quantify exposure, and test settlement ranges in high value disputes.

Mediator Style & Process

Preferences

Primary approach is facilitative, focused on structuring an efficient negotiation. When parties ask for it, especially in complex cross border or technical cases, I provide carefully framed, non-binding evaluative input to reality test legal and commercial positions and explore settlement options based on my experience in high-value complex international arbitration proceedings.

Technology Proficiency

Experienced with online proceedings and hearings and electronic document management.

Education

New York University School of Law (LL.M. - 2001); Universidad de los Andes (J.D. - 1998).

Professional Licenses

Admitted to the Bar: New York, District of Columbia.
Licensed to Practice Law: Colombia.

Recent Publications & Speaking Engagements

- Author-editor, “Investment Disputes in the Americas: Comparative Perspectives on Laws, Treaties, and Disputes for Investors, States and Counsel”, Brill Publishers, (Aug. 2012).
- Author-editor, “Enforcing Foreign Arbitral Awards”, Brill Publishers (Nov. 2014).
- Organizer-speaker, World Bank International Centre for Settlement of Investment Disputes and Washington College of Law, “Investor-State Mediation: Perspectives from States, Mediators and Practitioners,” (2017).
- Advisor-speaker, Energy Charter Secretariat, “Seminar of Investment Mediation for Government Officials,” (2017).
- Author, “International Investment Agreements”, Chapter 6 in Business Guide to Trade and Investment - Volume 2: International Investment, International Chamber of Commerce and International Law Institute (Nov. 2018).
- Organizer-speaker, CPR and Washington College of Law, “Solutions Without Borders: Transnational Mediation and Arbitration” (2018).
- Organizer-speaker, Inter-American Commission of Human Rights and Washington College of Law, “Mediation of Human Rights Disputes” (2018).
- Coordinator-instructor, American Bar Association Section of International Law and Washington College of Law, annual meeting one-day arbitration & mediation certification for (2024).
- Lecture, International Law Institute, week-long course for African nation officials in Istanbul, Turkey, December 2025.

Citizenship

Colombia; United States of America

Compensation

Hourly Rate: $280.00
Daily Rate: Not provided
Study Rate: $280.00/hr
Cancellation: Not provided
Cancellation Period: Not provided
Comment: Travel expenses at cost.

Languages

English; Spanish