GARRIGUES



Melissa Núñez Santti

Partner

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Dispute Resolution: Litigation and Arbitration

Melissa is partner and co-leader of Garrigues' dispute resolution team in Peru. She advises private companies and public institutions on the management of their disputes before domestic and international courts and arbitral tribunals. She holds a law degree from Pontificia Universidad Católica del Perú and a Master in Laws from Erasmus Universitat Rotterdam, both with honors. Also has extensive experience in defending clients in disputes arising in the oil and gas, real estate, and mining sectors, as well disputes involving telephony, electricity and airport concessions, among others. She has participated in cases related to concession contracts that have given rise both to court proceedings regarding the exercise of sovereign power, and to arbitration proceedings in which the interpretation, performance and termination of the contract are under debate.

Experience

With over 20 years experience, Melissa has an important track record in litigation and arbitration, particularly in the construction and infrastructure sector. Before joining Garrigues, Melissa was head of the Litigation Department of the litigation boutique Benites, Forno & Ugaz – Abogados for five years. She was also associate at Miranda & Amado.

She has successfully partaken in highly complex cases due to the level of sophistication of the contractual arrangements and the scale of the projects involved. She has handled disputes involving arguments over the nature of the economic benefits of the contract (unit prices, time and materials, lump sum), claims for downtime (unproductiveness), risks associated with price changes, state of progress of the technical file, obligations to manage and/or monitor the work, different site conditions, the assessment of damages, to name but a few. The diverse nature of the issues involved in the construction disputes that Melissa has managed has led her to interact with Peruvian and foreign experts and technicians from a range of disciplines in both domestic and international arbitration proceedings.

Melissa seeks to provide her clients with practical solutions by implementing strategies based on her deep knowledge of substantive, procedural and arbitration law and her significant professional track record.

The success rate of the cases she has defended is very significant.

Academic background

- Law Degree and Qualification, Pontificia Universidad Católica del Perú.
- Master’s Degree in Corporate Law, Business and Maritime Law, Erasmus University Rotterdam.
- Diploma specializing in Construction Law, Universidad del Pacífico.
- FIDIC Module 1: Practical Use of the FIDIC Conditions of Contracts, FIDIC Academy.

Teaching activity

She has taught undergraduate and postgraduate courses at the Pontificia Universidad Católica del Perú and at the Universidad de San Martin de Porres. Since 2019 she has been a lecturer on Civil Procedural Law at the University of Lima, and she is frequently invited as a panelist in different domestic and foreign forums to speak on arbitration and litigation issues, as well as on gender initiatives.

Memberships

She is a member of the panel of arbitrators of the Arbitration Center of the Peruvian-American Chamber of Commerce of Peru - AmCham, the Spanish Arbitration Club, the ICC Peru Arbitration Commission, the Peruvian Society of Construction Law and the Lima Bar Association.

Melissa is a signatory to The Pledge and is committed to the cause of increasing, on an equal opportunity basis, the participation of women in arbitration and litigation practices in Peru.