

VIAC – Questionnaire for Arbitrators

1. **Name:** Univ.-Doz. Dr. Claudia Annacker

2. **Citizenship:** Austria

3. **Contact information:**

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4. **Current position:**

Independent Arbitrator and Counsel, Adjunct Professor (University of Vienna)

5. **Education:**

University of Vienna (venia legendi et docendi for public international law, 1997)

University of Vienna (Doctor iuris, 1992)

University of Vienna (Magister iuris, 1990)

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
More than 65 international arbitrations under the ICSID, UNCITRAL, ICC, LCIA, SCC and VIAC Arbitration Rules, as well as in *ad hoc* arbitrations
- How often have you acted as Chairman?
3
- How often have you acted as Sole Arbitrator?
3
- How often have you acted as Co-Arbitrator?
2
- How often have you acted as Counsel?
More than 60 arbitrations.
- How often have you acted in a different function (e.g. Administrative Secretary)?

7. **Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**

Selected Publications

Books and Book Chapters

- Articles 13 to 15 of the ILC's Articles on Responsibility of States for Internationally Wrongful Acts, in: Commentary on General International Law in International Investment Law, M. Waibel/A. Kulick (eds) Oxford University Press (2023).
- Evolution of International Investment Law in Treaty Making and Arbitral Practice: Comment from Counsel's Perspective, in: Evolution, Evaluation and Future Developments in International

Investment Law, Proceedings of the 10 Year Anniversary Conference of the International Investment Law Centre Cologne, St. Hobe/J. Scheu (eds) (2021).

- Issues relating to Challenging and Enforcing Arbitration Awards – ICSID Awards, The Guide to Challenging and Enforcing Arbitration Awards, J. William Rowley/E. Gaillard/Gordon E. Kaiser (eds) (2019).
- Der fehlerhafte Rechtsakt im Gemeinschafts- und Unionsrecht (Defective Legal Acts In EU Law) (1999), Vienna/New York.
- Die Durchsetzung von erga omnes Verpflichtungen vor dem Internationalen Gerichtshof (The Enforcement of Erga Omnes Obligations before the International Court of Justice) (1994) Hamburg.

Articles

- Fragmentation and Integration in International Investment Law: *Plus Ça Change*, ICSID Review – Foreign Investment Law Journal (2023).
- 2021 Vienna Investment Arbitration Rules, Austrian Yearbook on International Arbitration (2022).
- 2021 Vienna Investment Arbitration Rules, Ecolex (2021).
- Role of Investor’s Legitimate Expectations’ In Defense of Investment Treaty Claims, Yearbook on International Investment Law & Policy 2013-2014 (2015).
- Investment Treaty Arbitration as a Tool to “Enforce” Arbitral Awards?, The European, Middle Eastern and African Arbitration Review (2015).
- Protection of Sovereign Wealth (book review), ICSID Review (2014).
- Protection and Admission of Sovereign Investment under Investment Treaties, Chinese Journal of International Law, Volume 10 (2011).
- How Bilateral Investment Treaties Can Protect Foreign Investors in the Arab World or Arab Investors Abroad, Journal of International Arbitration, Volume 25, N°2 (2008).
- State Succession and the Liquidation of a UK Licensed Bank, Banker’s Law, Volume 1, N°4 (2007).
- How Better Investment Treaties May Help China Investors, IFLR (2006).
- State Immunity and Arbitration, ICC International Court of Arbitration Bulletin, Volume 15, N° 2 (2004).
- How Bilateral Investment Treaties Can Protect Japanese Investors, Journal of the Japanese Institute of International Business Law (2004).
- Free Movement of Goods and the Protection of Trademarks – Current Issues concerning Repackaging, Relabelling and Rebranding in EC law, The Journal of World Intellectual Property, Volume 5 (2002).
- Die Rechtswirkungen von Sicherheitsratsresolutionen im österreichischen Recht, (The Legal Effects of UN Security Council Resolutions in Austrian Law) Juristische Blätter (1995).
- Die Inexistenz als Angriffs- und Verteidigungsmittel vor dem EuGH und EuG, (The Inexistence as Means of Attack and Defense in Proceedings before the CJEU and the General Court) Europäische Zeitschrift für Wirtschaftsrecht, Volume 2 (1995).

- Part Two of the International Law Commission's Draft Articles on State Responsibility, German Yearbook of International Law, Volume 37 (1994).
- The Legal Regime of Erga Omnes Obligations in International Law, Austrian Journal of Public International Law, Volume 46, N°2 (1994).

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

- Vienna International Arbitration Centre, Board member, President of the Investment Arbitration Committee
- Court of Arbitration of the Singapore International Arbitration Centre
- ICSID Panel of Arbitrators
- Asian International Arbitration Centre (AIAC) Panel of Arbitrators
- Mauritius International Arbitration Centre (MIAC) Panel of Arbitrators
- Oman Commercial Arbitration Centre (OAC) Panel of Arbitrators
- Singapore International Arbitration Centre (SIAC) Panel of Arbitrators
- Board of Trustees of the Foundation for International Arbitration Advocacy
- Energy Charter Treaty Legal Advisory Task Force
- International Law Association
- International Bar Association
- International Council for Commercial Arbitration
- Swiss Arbitration Association
- European Society of International Law
- German Society of International Law
- American Society of International Law

9. Languages

Mother tongue: German

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): English

10. In which legal systems have you trained?

- Civil Law
- Common Law
- Austrian Law
- Hungarian Law
- Swiss Law
- Czech Law
- Polish Law
- Ukrainian Law
- German Law
- Slovakian Law
- European Law

Other _____

11. What is your main jurisdiction of practice?

Investment arbitration and other public international law matters

12. In which jurisdictions are you admitted to the bar?

France, Austria (currently suspended), England and Wales (registered foreign lawyer)

13. Special expertise or specializations (please list a maximum of five):

- Antitrust/Unfair competition
- Damages
- Insolvency
- Natural resources
- Aviation
- Distribution
- Insurance
- Power plants
- Banking & Finance
- Domain name disputes
- Intellect. property (IP)
- Private Intern. Law
- Capital markets
- Employment
- Investment arbitration
- Public Intern. Law
- CISG
- Energy
- ISDS/Foreign inves.
- Real estate
- Civil fraud disputes
- Engineering
- Joint ventures
- Shipping
- Commercial disp. / transactions
- Entertainment
- Licensing
- Sports
- Commodity market
- Healthcare & Pharmac.
- Life sciences
- State/Public contracts
- Company/Corporate/M&A
- Hotel/Gastro./Tour.
- Maritime arbitration
- Technology
- Construction
- Inform. technology (IT)
- Media
- Telecommunication
- Contract law
- Infrastructure
- Mining
- Transport
- Other: sovereign debt

14. Date of birth: 4 July 1968

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I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

11/01/2024

Date