

VIAC – Questionnaire for Arbitrators

1. Name: Davor Babić

2. Citizenship: Croatian, U.S.

3. Contact information:

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4. Current position:

Full Professor, University of Zagreb, Faculty of Law

5. Education:

1997 University of Zagreb, Faculty of Law: LL.B. (dipl. iur.)

1998 1998 T.M.C. Asser Institute, The Hague: Asser College Europe -
Postgraduate Programme on European Law, WTO Law, International Commercial
Arbitration and International Business Law

1999 Central European University: LL.M. in International Business Law

2005 University of Zagreb, Faculty of Law: doctorate in legal sciences (dr. sc.)

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?

72 arbitrations as arbitrator (35 international, 37 domestic)

ICC, LCIA, UNCITRAL Rules, VIAC, Croatian Chamber of Commerce, Milan Chamber of Commerce, Serbian Chamber of Commerce, Belgrade Arbitration Centre, Ljubljana Arbitration Centre, Montenegro Chamber of Commerce - seats of arbitration: Zagreb, London, Paris, Munich, Milan, Vienna, Frankfurt, Geneva, Ljubljana and Podgorica.

- How often have you acted as Chairman?

23

- How often have you acted as Sole Arbitrator?

23

- How often have you acted as Co-Arbitrator?

26

- How often have you acted as Counsel?

0

- How often have you acted in a different function (e.g. Administrative Secretary)?

4 cases as adviser to counsel or party to an arbitration

21 commercial cases as mediator

4 FIDIC contract cases as a chairman of the dispute adjudication board

1 case as an expert witness

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

I teach international arbitration at the University of Zagreb, Faculty of Law and, as a recurrent visiting professor, at the Central European University in Vienna.

I taught arbitration or arbitration related courses as a visiting professor at the University of Pittsburgh (2012), University of Loyola Chicago (2016) and China University of Political Science and Law (2019).

I regularly advise businesses and attorneys in the area of international arbitration law.

Selected publications on arbitration and ADR (in English):

- *Validity of the Time Bar under FIDIC Sub-Clause 20.1 in Croatian Law*, CONSTRUCTION ARBITRATION IN CENTRAL AND EASTERN EUROPE (Baltag, Crina; Vasile, Cosmin (eds.), Kluwer Law International, 2020), pp. 131-140
- *Rome I Regulation: Binding Authority for Arbitral Tribunals in the European Union?* 13 JOURNAL OF PRIVATE INTERNATIONAL LAW 1 (2017), 71-90
- *Restrictions on Arbitration in Public Private Partnership Projects in Croatia*, 20 CROATIAN ARBITRATION YEARBOOK (2013), 227-238
- CIVIL AND COMMERCIAL MEDIATION IN EUROPE: CROSS-BORDER MEDIATION (Ed. Carlos Esplugues), Croatia, (Intersentia, Cambridge, 2014)
- *Mediation Law in Croatia: When the EU Mediation Directive Met the UNCITRAL Model Law on Conciliation*, 11 GERMAN ARBITRATION JOURNAL (SCHIEDSVZ), 214-223
- *Observations on Hall Street v. Mattel: End of the Heresy of Expanded Judicial Review of Arbitration?* 14 STOCKHOLM INTERNATIONAL ARBITRATION REVIEW 2 (2008), 95-104
- *Restrictions on Foreign Arbitration Under the Croatian Arbitration Act and Freedom to Provide Services in EC Law*, 12 CROATIAN ARBITRATION YEARBOOK (2005), 155-185

Selected conference presentations on arbitration and ADR (in English):

- *ICC advanced level training: Drafting Enforceable Awards* (chair of the training), Kiev 2019
- *Court Review of the Arbitrator's Decision on the Applicable Substantive Law?*, APPLICABLE LAW IN INTERNATIONAL ARBITRATION, Katowice, 2015
- *Rome I Regulation: Binding Authority for Arbitral Tribunals in the European Union?* University of Cambridge, JPIL CONFERENCE, Cambridge, 2015
- *Which Law Governs Mediation?* JPIL CONFERENCE, New York University, New York, 2009
- *Future Work in the Field of Arbitration – Arbitrability*, CELEBRATING SUCCESS: 20 YEARS OF UNCITRAL MODEL LAW ON INTERNATIONAL COMMERCIAL ARBITRATION, UNCITRAL, Vienna, Austria, 2005

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

- Member of the ICC Court of Arbitration (since 2018)
- Member of the VIAC International Advisory Board (since 2020)
- International Law Association (since 2015)
- ICC Commission for Arbitration and ADR (since 2015)
- Croatian Arbitration Association (since 2002)
- Austrian Arbitration Association (since 2006)
- Secretary of the Permanent Arbitration Court at the Croatian Chamber of Commerce (2003- 2007)

9. Languages

Mother tongue: **Croatian**

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, Croatian (Bosnian, Serbian)**

10. In which legal systems have you trained?

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Civil Law | <input type="checkbox"/> Common Law | |
| <input type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input type="checkbox"/> Swiss Law |
| <input type="checkbox"/> Czech Law | <input type="checkbox"/> Polish Law | <input type="checkbox"/> Ukrainian Law |
| <input type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law | <input checked="" type="checkbox"/> European Law |

Other Croatian law

11. What is your main jurisdiction of practice?

Croatia

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

N/A

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

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

14. Date of birth: 7 July 1974

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

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>.

17 May 2021

Date

and

Signature