

VIAC – Questionnaire for Arbitrators

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prof. hon., Dr.h.c.

2. Citizenship: **Tschechische Republik / Czech Republic**

1. Contact information:

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2. Current position: **Rechtsanwalt / Attorney-at-Law**
Law professor / Universitätsprofessor
Professor of Economics / Univ.- Professor der
Wirtschaftslehre

3. Education: **Faculty of Law – Charles University in Prague and**
Institute of International Relations and International Law
– Charles University in Prague
Ph.D. in Civil Law
International Economics

3. Practiced experience in arbitration

How many arbitrations have you participated in (domestic/international)? Under which Rules?

- **Czech Republic: under the Rules of the Arbitration court attached to the Economic Chamber of the Czech Republic and the Agrarian Chamber of the Czech Republic** (both domestic as well as international disputes), **as of yet 507 cases (as co-arbitrator, chairman or as sole arbitrator)**. Currently non available exact statistics, but approx. 1/3 of the number above international disputes and 2/3 domestic disputes. From the number above currently 4 cases pending.
- **Czech Republic: ad hoc under UNCITRAL Rules** – 8 cases, 3 as chairman, 5 as co-arbitrator
- **Czech Republic: ad hoc** out of any specific Rules – just pursuant to Czech Act on Arbitration – **21 cases**: 8 of them as chairman, 9 as co-arbitrator, 4 as sole arbitrator
- **VIAC – VIAC Rules: 6 cases** as co-arbitrator or sole arbitrator
- **ICC: 8 cases**: 2 as chairman, 1 as sole arbitrator, 5 as co-arbitrator (one case pending)
- **Lithuania**: Rules of the permanent arbitral institution attached to the Chamber of Commerce and Industry – 1 case as co-arbitrator.

- **Ukraine: 7 cases:** (i) ad hoc under UNCITRAL: 1 as chairman, 3 as co-arbitrator; (ii) Rules of the International Court of Commercial Arbitration attached to the Ukrainian Chamber of Commerce and Industry: 3 cases as co-arbitrator
- **Poland: 5 cases:** ad hoc: 4 as chairman, 1 as co-arbitrator
- **USA: 9 cases,** all of them *ad hoc* but in two cases applied AAA Rules under agreement of the parties
- **Belarus:** 4 case, all of them as chairman
- **Investment disputes (BIT) – 2 cases,** both as co arbitrator, both under UNCITRAL
- **UNCITRAL Rules (arbitration seated out of the Czech Republic):** 8 cases – 5 as chairman (or sole arbitrator), 3 as co-arbitrator (arbitrations pursuant to UNCITRAL rules seated in the Czech Republic see above).
- **Other jurisdictions** (miscellaneous procedural Rules and jurisdictions) – **28 cases:** 7 of them as chairman, 21 as co-arbitrator

How often have you acted as Chairman? See the statistics above

How often have you acted as Sole Arbitrator?: See the statistics above

How often have you acted as Co-Arbitrator?: See the statistics above

How often have you acted as Counsel? 15 cases as counsel – various jurisdictions (not reflected in the statistical figures above).

How often have you acted in a different function (e.g. Administrative Secretary)? NONE.

Unfortunately appointed in more than 40 cases as Kurator for the receipt of correspondence (Kurator for service). In various cases acted also as expert witness (party appointed as well as tribunal appointed).

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

Over 500 publications, articles and books on international and domestic arbitration and on international law, private international law, European private international law and commercial law in various languages: Czech, English, German, Slovak, Polish, Ukrainian, Russian. Also editor in chief of the CYArb – Czech (& Central European) Yearbook of Arbitration, editor in chief of the CYIL – Czech Yearbook of International Law and member of the editorial boards and supervisory boards of another periodicals. The full list of publications may be provided upon request. The full list available also on the www.legalservices.cz and www.schiedsverfahren.cz.

Congresses and conferences: **more than 150 conferences and congresses mainly on the topics of arbitration or related to arbitration.** Talks and lectures in the following countries among other (selection): Albania (2014), Australia (Sydney) (2003), Austria (on-going lecturing activities in a number of places in the country since 1991), Bahama (2014, 2016, 2018, 2020), Belarus (2018), China People’s Republic of (Shanghai) (2014, 2018), Croatia (Zagreb, 2015), Czech Republic, Germany (ongoing lecturing activities in a number of places since 1991), Iceland (Reykjavík), India (New Delhi) (1998), Ireland (2001), Israel (Jerusalem) (2008), (Jerusalem, Tel Aviv) (2013), Italy (Rome) (2004), Japan (2017), Lithuania (Vilnius) (2012, 2014), Mexico (Mexico City) (2008), Netherlands (2010), Poland (2009, 2010, 2011, 2015 and ongoing), Portugal (Lisbon) (2008), Russia (Moscow, St. Petersburg, Vladivostok, ongoing), Qatar (Doha) (1997), Slovak Republic (ongoing lecturing activities in a number of places in the country, since 1990), South Africa (Cape Town, Stellenbosch) (1998, 2016), Switzerland (ongoing since 1992), Turkey (Istanbul) (2012), Ukraine (ongoing since 1996), Great Britain, USA (Washington D.C. and New York, ongoing) and many others.

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

- **Prague / Czech Republic:** International Arbitration Court at the Czech Commodity Exchange and Vice-President of the International Arbitration Court at the Czech Commodity Exchange

- **Prague / Czech Republic:** Arbitration Court attached to the Economic Chamber of the Czech Republic and to the Agricultural Chamber of the Czech Republic (listed as arbitrator)
- **Vienna / Austria:** Vienna International Arbitral Centre (VIAC) (List of Practitioners in International Arbitration, Member of the International Advisory Committee)
- **Paris / France:** ICC International Court of Arbitration – Member of the ICC International Court of Arbitration (for and on behalf of the Czech Republic) 2009 - 2018. At the same time member of the ICC Commission on Arbitration (HQ and Prague / Czech Republic) and chairman of the Commission on Arbitration with the ICC National Committee Czech Republic (2003 – 2018) and Member of the working group for application of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1958)
- **Kiev / Ukraine:** International Arbitration Court attached to the Ukrainian Chamber of Industry and Commerce (listed as arbitrator)
- **Moscow / Russian Federation:** (i) MKAS - International Commercial Arbitration Court attached to the Chamber of Commerce and Industry of the Russian Federation (ii) Panel of Arbitrators for International and Investment Disputes of the Arbitration Centre at the RSPP (Russian Union of Industrialists and Entrepreneurs)
- **Chişinău / Moldova:** International Arbitration Court attached to the Chamber of Industry and Commerce of Moldavia (listed as arbitrator)
- **Vilnius / Lithuania:** Arbitration Court for Commercial Disputes at the Lithuanian Chamber of Industry and Commerce (listed as arbitrator)
- **Almaty / Kazakhstan:** Kazakh Arbitration - Kazakh International Arbitration Court (listed as arbitrator)
- **Ljubljana / Slovenia:** Arbitration Court attached to the Slovenian Chamber of Industry and Commerce (listed as arbitrator)
- **Minsk / Belarus:** International Commercial Arbitration Court attached to the Belarus Chamber of Industry and Commerce (listed as arbitrator)
- **Warsaw / Poland:** Court of Arbitration at the KIG - Polish Chamber of Commerce (listed as arbitrator)
- **Kuala Lumpur / Malaysia:** Kuala Lumpur Regional Center of Arbitration – arbitrator and mediator
- **Sofia / Bulgaria:** International Court of Arbitration attached to the Institute of Private International Law.
- International Arbitration Court attached to the Romanian Chamber of Commerce and Industry
- **Harbin / China, People’s Republic of:** HRBAC - International Arbitration Commission
- **Shenzhen / China, People’s Republic of:** SCIA - Shenzhen Court of International Arbitration Commission (Court) – Shenzhen Arbitration Commission / South China International Economic and Trade Arbitration Commission
- **Bucharest / Romania:** International Arbitration Court attached to the Romanian Chamber of Commerce and Industry
- Panelist for resolution of disputes arising out of the Agreement on Trade between **EU and Colombia**
- Panelist for resolution of disputes arising out of the Agreement on Trade between EU and Peru and panelist for other disputes pursuant to international law
- etc.

Member of:

- **ArbAut** – Austrian Arbitration Association
- **ASA** – Swiss Arbitration Association
- **DIS** – Deutsche Institution für Schiedsgerichtsbarkeit
- **ICC** – Commission on Arbitration (see above)
- **RAA** – Russian Arbitration Association

6. Languages

Mother tongue: both Czech and German (bilingual); at the same time court (sworn) interpreter and translator of German licensed by the Czech Ministry of Justice

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):

A: Usual working languages – **Czech, German, English, Russian, Slovak**

B: Working languages – without support of any interpreter but sometimes “lacking practise and using more often vocabulary”: **Russian, Polish**. Able to conduct arbitration and having experience as Chairman, unfortunately necessary to practice for a couple of days.

C: Usually without any support of interpreter if working with documents and able to serve as co-arbitrator, but insufficient knowledges to chair a tribunal or to serve as sole arbitrator. Often necessary to use vocabulary and if drafting documents, sometimes necessary to have support of interpreter (at least for intensive review): **French, Ukrainian, Icelandic, very partially Dutch and Danish**

7. 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 _Russian_

8. What is your main jurisdiction of practice?

Czech, Slovak, Germany

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

Czech Republic, EU

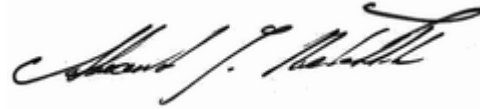
10. Special expertise or specializations (please list a maximum of five):

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

11. Date of birth: 14-APR-1968

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>.



30-AUG-2020 _____
Date and Signature