

VIAC – Questionnaire for Arbitrators

1. Name: Prof. Dr. Christoph Brunner

2. Citizenship: Swiss

3. Contact information:

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4. Current position: Partner

5. Education:

2014 Titular professor of law (*Titularprofessor*), University of Bern
2007 Adjunct Professor (*Privatdozent*) for commercial law, comparative law and international arbitration, University of Bern
1997 LL.M., University of California at Berkeley School of Law
1996 Doctorate in law (PhD), University of Bern
1994 Bar exam (Bern, Switzerland)

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
More than 85 arbitrations (ICC Rules, VIAC Rules, Swiss Rules, DIS Rules, LCIA Rules, *ad hoc*) under the substantive laws of Switzerland, England, France, Germany, Italy, Spain, California (among others), and the CISG
- How often have you acted as Chairman?
9 times
- How often have you acted as Sole Arbitrator?
17 times
- How often have you acted as Co-Arbitrator?
18 times
- How often have you acted as Counsel?
33 times
- How often have you acted in a different function (e.g. Administrative Secretary)?
11 times

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

- Force Majeure and Hardship under General Contract Principles, Exemption for Non-performance in International Arbitration, Kluwer Law International 2009
- Commentary on the UN Sales Law (CISG), Kluwer, 2019 (Introduction, Preamble, Article 79; Articles 2–5, 7–40, 45–101 (jointly with co-authors); general editorship (jointly with Benjamin Gottlieb)
- Rules on force majeure as illustrated in recent case law, in Bortolotti & Ufot (eds.), Dossier XVII: Hardship & Force Majeure, 38th Annual Meeting of the ICC Institute of World Business Law, ICC Publ. No. 796E, Paris 2018, 82-112
- Introduction to the Swiss Rules; Interpreting and Supplementing the Applicable National Law and the Terms of the Contract by Reference to General Contract Principles, in Manuel Arroyo (ed.), Arbitration in Switzerland, The Practitioner’s Guide, Kluwer Law International, 2nd ed. 2018, 437-452 (Vol. I); 2759-2766 (Vol. II)
- The Arbitrator’s Duty not to Give Decisions that Might Surprise the Parties, in Python & Peter (ed.), L’éclectique juridique, Recueil d’articles en l’honneur de Jacques Python, Zürich/Bern, 2011, 221-234
- Commentary on Art. 180 PILS, “Challenge of an arbitrator” (*Kommentierung des Art. 180 IPRG*), in Heinrich Honsell / Nedim Peter Vogt / Anton K. Schnyder / Stephen V. Berti (eds.), Basler Kommentar, Internationales Privatrecht, 3. Aufl., 2013 (together with Wolfgang Peter)
- The Swiss Rules of International Arbitration in their Edition of June 2012, in Romanian Arbitration Journal 3/2013, 72-83
- The Swiss Rules of International Arbitration: An Overview for Prospective Users, SchiedsVZ 2010, 243-251
- No surprises, please, Swiss Federal Supreme Court annuls CAS award, LCIA News, Volume 14, Issue 1, November 2009, 38-39
- Waiver of appeals in international arbitration after the decision in Cañas (*Rechtsmittelverzicht in der internationalen Schiedsgerichtsbarkeit: eine Standortbestimmung nach dem Cañas-Urteil*) (BGE 133 III 235), AJP 2008, 738-751
- Interim Measures and Arbitration - Impact of the ILA Principles on Provisional and Protective Measures in International Litigation on the Draft Provisions on Interim Measures of Protection of the UNCITRAL Model Law on International Commercial Arbitration, in Talia Einhorn / Kurt Siehr (eds.), Intercontinental Cooperation Through Private International Law, Essays in Memory of Peter E. Nygh, Den Haag 2004, 469-487 (together with Gerhard Walter)
- National Report on the Relationship Between Arbitration and Other Forms of Private and Public Forms of Justice – Switzerland; Report prepared for the XII World Congress on Procedural Law, Mexico City, 21 - 26 September 2003, T.II, El arbitraje, Mexico City 2005
- ASA Conference on Arbitration in Banking and Financial Matters, 31 January 2003, Geneva, SchiedsVZ 2003, 130-132
- Procedural Public Policy as a Ground for Setting Aside International Arbitral Awards – Comments on the Swiss Federal Supreme Court’s Decision of April 28, 2000 (Egemetal v. Fuchs), Bulletin ASA 2000, 566-581
- For further publications see <http://www.peterandpartners.com/team/christoph-brunner/>
- Various lectures and conferences on arbitration

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

- Court of the Swiss Chambers’ Arbitration Institution (SCAI)
- LCIA European Users’ Council
- German Institution of Arbitration (DIS)

- International Arbitration Institute (IAI), Paris
- Swiss Arbitration Association (ASA)
- European-Latinamerican Arbitration Association (ELArb)
- Swiss and International Bar Association
- International Association of Boalt Alumni
- Jusletter (head department domestic and international sales law)
- Push Service, Weblaw (co-head editorial department contract law)
- Featuring in Chambers, Global Guide 2019, Arbitration; Who's Who Legal (WWL): Thought Leaders – Arbitration 2018; Who's Who Legal, arbitration / litigation, since 2013

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, French**

10. In which legal systems have you trained?

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

Other _____

11. What is your main jurisdiction of practice?

Switzerland

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

Switzerland

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

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Antitrust/Unfair competition | <input checked="" type="checkbox"/> Damages | <input type="checkbox"/> Insolvency | <input checked="" type="checkbox"/> Power plants |
| <input type="checkbox"/> Aviation | <input checked="" type="checkbox"/> Distribution | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Private Intern. Law |
| <input checked="" 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 checked="" type="checkbox"/> CISG | <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Joint ventures | <input checked="" type="checkbox"/> Shipping |
| <input checked="" type="checkbox"/> Civil fraud disputes | <input checked="" type="checkbox"/> Engineering | <input checked="" type="checkbox"/> Licensing | <input checked="" type="checkbox"/> Sports |
| <input checked="" type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input checked="" type="checkbox"/> Life sciences | <input checked="" type="checkbox"/> State/Public contracts |
| <input checked="" type="checkbox"/> Commodity market | <input checked="" type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Maritime arbitration | <input checked="" 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 checked="" type="checkbox"/> Transport |
| <input checked="" type="checkbox"/> Contract law | <input checked="" type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> Natural resources | |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: 21 November 1967

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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>.

24 May 2019

Date

and

Signature