

VIAC – Questionnaire for Arbitrators

1. **Name:** Isabelle Fellrath, LL.M, Ph.D, Attorney

2. **Citizenships:** Swiss and Italian

3. **Contact information:**

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4. **Current positions:**

- **Counsel / Arbitrator** – SwissLegal Lausanne / Geneva / Fribourg
- **Arbitrator – Court of arbitration for Sport/Tribunal arbitral du sport**, Lausanne
- **Member** – Arbitral Tribunal for Aquatic Sports of the Swiss Swimming Federation (*swiss aquatics*), Ittigen
- **Guest lecturer** – University of Neuchâtel, Centre for Hydrogeology and Geothermics
- **Lecturer** – University of Lausanne, School of Law

5. **Education:**

- 1998, Doctor of Philosophy (Ph.D.) – University of Nottingham, School of law, United Kingdom
- 1994, Master of Laws (LL.M.) – University of Nottingham, School of law, United Kingdom
- 1993, Licence en droit (LL.B.) – University of Neuchâtel, School of law, Switzerland

6. **Practiced experience in arbitration:** Lead counsel, co-counsel, arbitrator in over 120 cases under ICC Rules, CIETAC Rules, UNCITRAL Rules, Swiss Rules, Ad Hoc, ICSID Additional Facility, TAS/CAS code

- How often have you acted as Chairman? 1
- How often have you acted as Sole Arbitrator? 29
- How often have you acted as Co-Arbitrator? 3
- How often have you acted as Counsel? in over 70 cases
- How often have you acted in a different function (e.g. Administrative Secretary)? 10

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

- **Arbitration related teaching: Lecturer** – University of Glasgow, School of Law Commercial arbitration law (2009-2005); **Lecturer** – University of Lausanne, School of Law, LLM International Business Law, International Arbitration Advanced (since 2020)
- **Arbitration related judicial activities: Deputy Judge** – Swiss Federal Court 1st civil chamber, Lausanne (incl. Annulment of international arbitration awards issued in Switzerland; 2014-2012)
- **Arbitration related publications:**

Lessons learnt from 2021 and evolving concepts of significance in arbitration (ADR Personality), LAGOS COURT OF ARBITRATION, NEWSLETTER, March 2022, 5

Arbitration is no silver bullet for the adjudication of business-related human rights, AAA BLOG (<https://afaa.ngo/page-18097/10425130>), May 2, 2021, AFRICAN JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 2022

Vers une marchandisation du contentieux commercial en Suisse, LE TEMPS, 10 June 2020, 9

Chronique de jurisprudence étrangère (Suisse), 2003-2017, REV. ARB. (2017) 1231-1257 ; (2016) 1169-1198 ; (2015) 1185-1213 ; (2014) 991-1020 ; (2013) 1047-1069 (2012) 845-866 ; (2011) 1069-1091 ; (2010) 877-909 ; (2009) 827-872 ; (2008) 749-775 ; (2007) 861-881 ; (2006) 827-855 ; (2005) 171-196 (with P.-Y. Tschanz)

La sanzione per il mancato rispetto di una clausola *multistep* conciliazione/arbitrato e le conseguenze per gli atti già compiuti dal tribunale arbitrale? Nota sulla sentenza del 16 marzo 2016, caso n° 4A_628/2015, Tribunale Federale Svizzero pubblicata nel DTF 142 III 296, XXVII RIVISTA DELL' ARBITRATO 613-635 (2017)

L'ammissibilità di consulenti esterni del tribunale arbitrale nel diritto svizzero, Nota sulla sentenza del 21 maggio 2015, caso n° 4A_709/2014, Tribunale Federale Svizzero, XXVI RIVISTA DELL' ARBITRATO (2016) 353-370 (co-author)

SWISS RULES OF INTERNATIONAL ARBITRATION: COMMENTARY, Kluwer / Schulthess, 2nd edn, 2013, T. Zuberbuhler et al. (eds), Art. 1 and 2 (co-author)

Force Majeure and Hardship Clauses in Energy Supply Agreements, in K. Makuch, R. M. Pereira (eds), ENVIRONMENTAL AND ENERGY LAW, Wiley-Blackwell Publishing, 2012, Chapter 11, 240-252 (co-author)

Annotations and Summaries of Decisions of the Swiss Federal Supreme Court Issued in 2011 and 2012 Concerning International Arbitration, JOURNAL OF INTERNATIONAL TRADE AND ARBITRATION LAW/ ULUSLARARASI TICARET VE TAHKIM HUKUKU DERGISI (UTTDER) (2013) 191-219 (co-author)

Consent to Arbitrate: A Prerequisite to Arbitration, UTTDER (2012) 241-252 (co-author)

Why Does Arbitration Matter? Some Practical Insights, Brown Bag Seminar, No Peace Without Justice, Brussels, 30 January 2012

What Legal Qualification for Take of Pay Provision (Gas, Electricity) In Swiss Law? 6TH SAINT-GALL INTERNATIONAL ENERGY FORUM (IEF), Saint-Gall, 13 – 14 December 2012

Restructuring the Swiss Electricity Market and the Progressive Phasing out of Nuclear Energy in the Aftermath of the Fukushima Disaster, ANNUAL EU ENERGY LAW AND POLICY, 7TH ANNUAL CONFERENCE, Claeys & Casteels, Brussels, 31 January – 1 February 2012

Offsetting Losses and Profits in Case of Breach of Commercial Sale/Purchase Agreements under Swiss Law and the Vienna Convention on the International Sales of Goods, XX PRAXIS DES INTERNATIONALEN PRIVAT UND VERFAHRENSRECHT (2009/4) 1-12 (co-author)

The Swiss Supreme Court Decides: India v. Crédit Agricole Suisse, X ART ANTIQUITY AND LAW (2005/4) 401-413

CULTURAL PROPERTY DISPUTES: THE ROLE OF ARBITRATION IN RESOLVING NON CONTRACTUAL DISPUTES, Transnational Publishers / Brill Academic Publishers, 2004 (334 pp.)

- **Arbitration related speaking engagements:**
 - Contracts of employment under the FIFA RSTP and the Swiss Code of Obligations: Interactions, UNIL-CAS SPORTS ARBITRATION FORUM, SWISS LAW AND INTERNATIONAL SPORTS DISPUTES, Court of Arbitration for Sports, Lausanne, 25 November 2022
 - Funding of International Commercial Arbitration, INTERNATIONAL ARBITRATION AND MEDIATION (ADVANCED COURSE), LL.M. International Business law, Faculty of Law, Criminal Justice and Public Administration, UNIL, Lausanne, yearly, since 2020
 - Arbitration Hot Topics and Career Prospects, Guest Speaker, INAUGURATION SESSION OF THE ALTERNATIVE DISPUTE RESOLUTION COMMITTEE, [Xavier University Bhubaneswar law school, India, 22 September 2021](#)
 - Protecting Human Rights through Arbitration: The Hague Rules on Business and Human Rights Arbitration, panellist, AFAA 2ND ANNUAL CONFERENCE ON REFORM AND INNOVATION OF INTERNATIONAL DISPUTE RESOLUTION: AFRICAN PERSPECTIVES, Accra, Ghana, 14-16 June 2021
 - Cash-strapped : How Can Mining Companies Finance Legal Disputes?, Moderator, CONFERENCE ON SOCIAL LICENSE AND DISPUTE RESOLUTION IN THE EXTRACTIVE INDUSTRIES, UNIL, Lausanne, 19 February 2021
 - Intrinsic Inadequacy or Unwarranted Ignorance of Voluntary Arbitration in National Environmental Matters?, ASA GENEVA GROUP, 29 October 2020

Conflits de droit du travail et arbitrage, SWISSLEGAL, Zurich, 7 May 2019

Why Does Arbitration Matter? Some Practical Insights, Brown Bag Seminar, NO PEACE WITHOUT JUSTICE, Brussels, 30 January 2012

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

• Panels of Arbitrators:

ICC Swiss Commission of Arbitration, arbitrators list (2020)

TAS/CAS, general list (2018)

Hong Kong International Arbitration Centre **HKIAC**, arbitrators list (2019)

Lagos Court of Arbitration **LCA**, panel of neutrals (2019)

Kigali International Arbitration Centre **KIAC**, international arbitrators panel (2019)

• Professional Admissions & Memberships

Admitted to the Bar of Vaud (2018) and Geneva and Swiss Supreme Court (1998)

Schweizerischen Vereinigung für Umweltrecht

Fédération Suisse des Avocats

Swiss Arbitration Association

Associazione Italiana per l'Arbitrato

International Arbitration Institute

Lagos Court of Arbitration

Kigali International Arbitration Centre

African Arbitration Association

Association Suisse de Droit du Sport

Women In Sports Law

9. Languages

Mother tongue: French

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 (German, Italian: spoken, understood and read)

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 checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> European Law |

Other : international law

11. What is your main jurisdiction of practice?

Switzerland

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

- | | | | |
|--|--|---|---|
| <input checked="" 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 type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | | <input checked="" type="checkbox"/> Intellect. Property |
| | <input checked="" type="checkbox"/> Public Intern. Law | | |
| <input type="checkbox"/> Capital markets | <input checked="" type="checkbox"/> Employment | <input checked="" 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 |

- X Civil fraud disputes X Engineering X Licensing X Sports
- X Commercial disp. / transactions X Entertainment X Life sciences
- State/Public contracts
- X Commodity market X Healthcare & Pharmac. X Maritime arbitration
- X Technology
- X Company/Corporate/M&A X Hotel/Gastro./Tour. X Media X Telecommunication
- X Construction X Inform. technology (IT) X Mining
- X Transport
- X Contract law X Infrastructure X Natural resources
- X Other : environmental law, decommissioning, contaminated sites remediation, ESG

13.Date of birth: May 5, 1970

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".

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

X 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>.

3 November 2023

Date