

VIAC – Questionnaire for Arbitrators

1. Name: Eliane Fischer

2. Citizenship: Swiss

3. Contact information:

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4. Current position:

Principal Associate at Freshfields Bruckhaus Deringer LLP

5. Education:

- 2006: Master of International Affairs, Graduate Institute of International and Development Studies, Geneva, Switzerland
- 2004: Bilingual law degree University of Fribourg, Switzerland
- 2002: Diplôme d'administration et politique internationales, University Pierre-Mendes France, Grenoble, France

6. Practice experience in arbitration:

- How many arbitrations have you participated in (domestic/international); under which Rules?
3 domestic / 29 international (ICC, VIAC, ICSID, DIS)
- How often have you acted as Chairman?
- How often have you acted as Sole Arbitrator? 2x
- How often have you acted as Co-Arbitrator?
- How often have you acted as Counsel? 28
- How often have you acted in a different function (e.g. Administrative Secretary)? 2x as Administrative Secretary

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

Selected Conferences:

- Tylney Hall discussion, ArbAut Forum, Vienna, 30 October 2017
- Co-Chair of GAR Live Vienna 2017 and 2018
- Co-Chair of ASAb40, DIS40, ArbIT and YAAP Summer Retreat 2017 and 2018
- *Solving construction disputes under different arbitration rules: does it matter and is there a best choice?*, 6th IBA Construction Projects from Conception to Completion Conference, Brussels, 14-16 September 2017
- *Cost Allocation – Does the winner take it all?*, ICC Young Arbitrators Forum, Zurich, 30 June 2017
- *Waiving examination of witnesses and experts*, ASAbelow40 Spring Seminar on Strategic Questions in Arbitration, Geneva, 12 May 2017

- *Is it possible to tame the unruly horse of public policy?*, Enforcement of Arbitration Agreements and Arbitral Awards under the New York Convention: Thorny Issues and Recent Trends, ICDR Young & International Seminar, Tbilisi, 1 December 2016
- *Das Zusammenwirken von Schiedsgutachter und Schiedsgericht bei M&A Streitigkeiten*, Schiedsverfahren – Mediation: Neue Herausforderungen und Perspektiven, Karl-Franzens-Universität Graz, 18 November 2016
- *Unconscious Bias in International Arbitration*, Arbitral Women Unconscious Bias and Negotiation Workshop, Vienna, 2 June 2016
- *Power Imbalances in Document Production*, Efficiency of Arbitration – Party Autonomy and its Limits, Generations in Arbitration Conference, Vienna, 18 March 2016
- *Res judicata in arbitration - Recent Swiss Case Law*, ICC Young Arbitrators Forum, Zurich, 27 November 2015
- *Drafting effective arbitration clauses*, ICC Young Arbitrators Forum, Izmir, 13 March 2015
- *Disclosure and Challenge of Arbitrators*, Annual Conference of the Young Austrian Arbitration Practitioners, Vienna, 11 December 2014

Teaching:

- *Damages in Arbitration* class at the Austrian Arbitration Academy, 2018
- *Organization of the Proceedings* class at the Austrian Arbitration Academy, 2017 and 2018
- *International Commercial Arbitration* course at the Université catholique de Lille, France, since 2015
- Guest lectures on *International Commercial Arbitration* at the University of Basel, Switzerland, 2012-2013

Publications:

- *Verfahrensbeendigung*, in: Handbuch Schiedsrecht, 2018 (co-authored with Günther Horvath)
- *Costs Follow Conduct – A Musical Altercation*, Kluwer Arbitration Blog, 26 October 2017 (co-authored with Flavio Peter)
- *Verfahrensbeendigung*, in: Praxishandbuch Schiedsgerichtsbarkeit, 2017 (co-authored with Günther Horvath and Désirée Prantl)
- *Efficient and Expeditious Dispute Resolution in M&A Transactions*, in: Austrian Yearbook on International Arbitration, 2017 (co-authored with Michael Walbert)
- Commentary on Art. 109 and 110 of the Swiss Code of Criminal Proceedings, Basler Kommentar, 2014 (co-authored with Peter Hafner)
- *The Arbitral Tribunal* in International Arbitration in Switzerland, 2013 (co-authored with Nathalie Voser)
- *Stiftungen und Schiedsgerichtsbarkeit in der Schweiz*, in: Wandel im materiellen Stiftungsrecht und grenzüberschreitende Rechtsdurchsetzung durch Schiedsgerichte, 2013 (co-authored with Manuel Liatowitsch)
- Translations/commentaries of numerous decisions of the Swiss Supreme Court for PLC

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

- ArbAut/YAAP (Co-Chair of YAAP until end of 2016, thereafter member of the YAAP advisory board)
- ASA/ASA below 40
- DIS/DIS40

- Arbitral Women

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 system have you trained?

Switzerland, France

11. What is your main jurisdiction of practice?

Switzerland, Austria and Germany

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

- Construction
- Energy
- Corporate Law (Joint Ventures/Post M&A disputes)

13. Date of birth:

21 October 1979

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Date and signature

6 July 2018