

VIAC – Questionnaire for Arbitrators

1. Name: *Dr Pierre Michel Genon*
2. Citizenship: *Austrian and Switzerland*
3. Contact information:
Address: *25, rue de Centre, CH 1025 Lausanne - Switzerland*
Telephone: *+41 695 24 40*
Fax: *+41 695 24 44*
E-Mail: *p.genon@pmg-ing.ch*
Website: *Pierre Michel Genon*
LinkedIn: *Pierre Michel Genon*
4. Current position: *Founder of PMG Consulting Engineers & Economists*
5. Education: *MSc Ecole Polytechnique Fédérale de Lausanne (ETH-L), PES International Management Institut (IMI) linked with HEC University and University of Lausanne*
6. Practiced experience in arbitration
- How many arbitrations have you participated in (domestic/international); under which Rules?
over 50 cases
 - How often have you acted as Chairman? *1*
 - How often have you acted as Sole Arbitrator? *2*
 - How often have you acted as Co-Arbitrator? *18*
 - How often have you acted as Counsel? *0*
 - How often have you acted in a different function (e.g. Administrative Secretary)? *32*
7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others): *several, please see attached biography*
8. Membership in arbitral institutions / functions in arbitral institutions/organizations:
Association of Swiss Arbitration (ASA), International Chamber of Commerce (ICC), Vienna Arbitration Center (VIAC), formerly LCIA, Swiss Experts, KLRCA Malaysia, Arbitration Center (SIAC), SFA
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):
French, German, English

10. 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 French law

11. What is your main jurisdiction of practice?

see attached CV

12. In which jurisdictions are you admitted to the bar? none

13. 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
- Telecommunication
- Construction
- Inform. technology (IT)
- Mining
- Transport
- Contract law
- Infrastructure
- Natural resources
- Other _____

14. Date of birth: 02.07.1944

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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>.

15.12.2020
Date

CURRICULUM VITAE

Name : Pierre Michel GENTON
 Nationality : Swiss

Academic Education:

- Ecole Polytechnique Fédérale de Lausanne (EPFL), Switzerland, Dipl.Eng/MSc.
- International Management Development Institute (IMD) Lausanne, Switzerland (linked to Harvard University and to the University of Lausanne;
- Chartered Engineer, Fellow of the Institute of Civil Engineers (FICE), London, Great Britain

Languages: French, German, English - all fluent; notions of Italian, Portuguese and Spanish.

Present Status:

- Founder & Partner of PMG Engineers and Economists, an office specialised in international arbitration, litigation for infrastructure & industrial projects and in the project management of multidisciplinary projects.
- Expert, arbitrator, DAB/DRB member, mediator, arbitrator as chair and member and Court Appointed Expert in litigation and arbitration proceedings such as the International Chamber of Commerce (ICC), the Euro-Arab Chamber of Commerce, the Arbitration Courts of Vienna, London (LCIA), Ljublyana Arbitration Center, Kuala Lumpur (KLRCA), and Singapore (SIAC).
- Lecturer on International Construction Contracts and Prevention of Disputes at the Faculty of Law in Geneva (Master Business Law Programme of the Universities of Geneva and EPFL-Lausanne).
- Visiting professor at the Instituto Superior Tecnico (IST/MIT Lisboa-Portugal)
- Former chairman of the Task Force on Dispute Boards having been in 2004 at the International Chamber Commerce (ICC) and revised end of 2015.
- Former delegate for Switzerland of the Dispute Resolution Board Foundation Inc.

Present and Past Key Assignments:

- 2018 – 2023 Member of various Disputes Boards for the Grand Renaissance Ethiopian Hydroelectric project, for the extension of the Paris Metro, for the Panama Canal and for the pumping/hydro turbines schema in Morocco.
- 2018 - 2019 Member of the Dispute Board (CRD III) for the LGV-SEA line Tours – Bordeaux of 340 km between the grantor (SNCF), concessionaire (LISEA), contractor (COSEA) in France.
- 2018 - 2019 Expert-witness for a 550 km railway line (Libya)
- 2017 - 2018 Member of the Dispute Board for the construction of a large dam in Georgia
- 2016 - 2016 Mediator on a steel factory in Russia; sole arbitrator enforcing the settlement agreement reached by the parties under the Vienna Arbitration Centre (VIAC)
- 2015 - 2018 Member of the Dispute board for the SS Parking Project (Qatar)
- 2015 - 2035 Member of the Dispute board (CRD II) for the LGV-SEA line Tours – Bordeaux of 340 km between grantor (SNCF), concessionaire, contractor, and operator (France)

- 2013 - 2018 Advisor for the Trojane tunnel in litigation and ICSID arbitration proceedings (Slovenia)
- 2012 - 2017 Member of the Dispute board (CRD I) for the LGV-SEA line Tours – Bordeaux of 340 km between concessionaire and contractor (France)
- 2010 - 2018 Member of the Dispute Board for the construction of the Third Locks of the Panama Canal (Panama)
- 2008 - 2016 Various assignments as chair or member of Arbitration tribunals, Dispute Boards, adjudication and mediation proceedings in various countries such as in Algeria, India, Indonesia, Qatar
- 2005 - 2007 Member of the Dispute Resolution Board for the European Investment Bank Building (Luxemburg)
- 2004 - 2005 Chairman of an expert panel assessing overall claims filed for the TGV in France
- 2004 - 2008 Chair of the Dispute Adjudication Board for the New Naga Hammadi Barrage Project (Egypt)
- 2004 - 2008 Member of the Dispute Review Board for the Karáhnjúkar Hydroelectric Project (Iceland)
- 2001 - 2008 Chair of the group of international experts advising the Owner for the reconstruction of the world highest-pressure penstock of Cleuson-Dixence (Switzerland)
- 2000 - 2008 Chair of the Dispute Board (CCT) for the Tunnel of Bologna integrated in the Italian high-speed railways – TAV (Italy).
- 2000 - 2005 Member of the Dispute Review Board for the Mohale Dam, the transfer tunnels and ancillary works in Lesotho (Lesotho Highlands Development Project).
- 2001 - 2002 Mediator on the Musi - Hepp Hydropower Project in Indonesia.
- 1998 - 2003 Commissioner appointed by the UN Secretary General for reviewing the construction claims arising out of the Gulf War (United Nations Compensation Commission).
- 1998 - 2001 Member of the Dispute Board for the Xiaolangdi Multipurpose Dam Project in China (1800 MW) for 3 engineering lots involving Chinese, French, German and Italian Contractors
- 1998 - 1999 Chair of the panel entrusted with the critical review of the FIDIC “Silver Book” “EPC Turnkey Project Conditions of Contract” (French International Contractors - SEFI).
- 1996 - 1999 Sole Adjudicator between the Concessionaire and the Contractors and later Member of the Expert Committee on the 18 km Vasco da Gama Bridge over the Tagus River in Lisbon/Portugal, ruling on the disputes between the Portuguese Government as Grantor and the Portuguese-French-British Concessionaire.
- 1994 - 2000 Member of the Dispute Board for the Lesotho Highlands Development Project in Lesotho (60 km of transfer and delivery tunnels).
- 1993 - 1999 Member of the Supervisory Board for the New Alptransit Railway Lines (Gotthard tunnel, 57 km/Lötschberg tunnel, 38 km) appointed by the Swiss Federal Council (Ministers)
- 1990 - 2007 Arbitrator, Court appointed expert, expert witness in various institutional and “ad hoc arbitration” cases in the construction industry in Albania, Cameroun, Georgia, Madagascar.

Past Experience:

2020 - 1981 : Various assignments as arbitrator, member/chair of DRB/DAB/CRD, court appointed expert, consultant, for over 30 cases in various large multidisciplinary projects of infrastructure (dams, motorways, tunnels, buildings, mass transit systems, railways) in Africa, Asia, Europe, Middle East

- and in industrial plants (pipelines/pumping stations in the oil sector, cement, fertilizer, textile factory, electromechanical equipment).
- 1983 - 1981 : Head of division at the Société Générale de Surveillance Ltd headquarters in Geneva. (SGS).
- 1980 - 1978 : Head of the group of experts assisting the Minister of Transportation in the planning and construction of the Manila LRT System (Philippines), Chief Engineer of the German-Swiss-Thai consultants' joint venture for the planning of the Bangkok Mass Transit System in Thailand.
- 1978 - 1976 : Director of Swiss Consultants in Iraq and project manager of the Swiss-German-Iraqi joint venture for the planning of the Rapid Transit System in Baghdad (Iraq)
- 1975 - 1971 : Chief engineer at Electrowatt Engineering Services Ltd. for the planning and construction of various transportation systems (namely Lima Rapid transit System), hydro-electrical schemes, tunnels and galleries in Switzerland (Head of the site supervision of the tunnel de la Clusette, site supervision of the works on the Göschenen-alpdam) and in other countries (Greece, Island and in Peru). Resident Engineer in Morocco with Electrowatt Engineering Services for the construction of two dams)
- 1970 - 1969 : Professor's assistant at the Ecole Polytechnique Fédérale in Lausanne.

Lectures, visiting professor:

- Lectures on International Construction Contracts and Prevention of Disputes at the Faculty of Law in Geneva (Master Business Law Programme of the Universities of Geneva - 9 years) at the Ecole Polytechnique Fédérale in Lausanne, at the University della Svizzera Italiana (Faculty of Economics), at the Technical University of Graz (Austria) and at the Paris 2 Faculty of law (France).
- Visiting professor at the Instituto Superior Tecnico (IST/MIT Lisboa-Portugal - 3 years)
- Lectures at various conferences such as the ICC, International Bar Association, Swiss Bar, Swiss Arbitration Association, Deutsches Institut für Schiedsgerichtbarkeit, Swiss Experts Chamber of Technical and Scientific Forensic Experts, International Construction Law, Global Construction Superconference, etc. in Berlin, Frankfurt, London, Paris etc.

Publications (extract):

- 2020-2016 Various papers on Dispute Boards and on the 2015 FIDIC Rainbow Conditions of Contract (Red, Yellow and Silver Books), etc.
- 2015 Drafter's Insight into the 2015 ICC Dispute Boards Rules (ICC Dispute Resolution Bulletin, Issue 1)
- 2011 ICC Dispute Board Rules, Status and Perspectives of a Key Contribution to the Prevention of Disputes (Wlzers Kluwer law & Business (Arnold Ingen-Housz)
- 2007 An Efficient Dispute Management Tool: the DB and the ICC DB Rules (Ch. 5 of ICC Book on ADR in Business - Practice and Issues across Countries and Cultures Kluwer)
- 2007 What's wrong to use DB in Debt Recovery (Debt Recovery Editor D. Franklin - Canada)
- 2005 ICC promotes Dispute Board Rules Worldwide (Construction Law Journal 2005)
- 2004 The New ICC Dispute Board Rules – Cahiers de l'arbitrage (Gazette du Palais)
- 2003 Dispute Boards (Ch.7 of Bernsteins Handbook of Arbitration and Dispute Resolution edited by J. Tackaberry, QC and A. Marriott, QC)
- 2002 The Growing Interest in DB Procedures and the Role of DRB in Long Terms Contracts Construction Law Journal
- 2001 Streitbeilegung im Bauwesen. Das Potential der ADR-Verfahren (Stiftung Bauwesen, Stuttgart)

- 2001 The Potential of Disputes Review Boards (Global Superconference, London)
- 2000 The Role of the Engineer in Disputes related more specifically to Industrial Projects (Kluwer Law Intern'al)
- 2000 The DRB/DAB: An attractive Procedure if ones takes some precaution (DRB Foundation Forum)
- 1999 The Dispute Review Board–Wishful Thinking of Reality (Kluwer Law Intern'al)
- 1999 The Role of the DRB in Long Term Contracts (DRB Foundation Forum)
- 1998 Soft and Hard Dispute Resolution – Some Comments and Practical Experiences Regarding Mega-Projects (International Business Law)
- 1998 The DRB/DAB – A True Complement to Arbitration (DRB Foundation Forum)
- 1995 Grands travaux: le montage contractuel, outil de compétitivité (Ingénieurs-Architectes Suisses – SIA)
- 1995 Le montage contractuel adéquat (Journal suisse des entrepreneurs)
- 1994 La gestion contractuelle (Ingénieurs et Architectes Suisses – SIA)
- 1988 Quelques réflexions au sujet de l'expertise technique (Fondation pour l'étude du droit et des usages du commerce international-FEDUCI)

Professional Affiliation:

- International Chamber of Commerce (ICC), list of the Swiss Arbitrators
- Institution of Civil Engineers London (ICE), Fellow.
- Swiss Arbitration Association (ASA)
- Swiss Chamber of Technical and Scientific Forensic Experts (CSEJ)
- Dispute Review Board Foundation (DRB-F), former Swiss Representative
- International Arbitral Centre of the Austrian Federal Chamber in Vienna (VIAC), list of arbitrators
- Slovenian Centre of Arbitration, list of arbitrators
- Kuala Lumpur Regional Centre for Arbitration, list of arbitrators and mediators of the (KLRCA).
- Swiss Union of Consulting Engineers (USIC), member of the FIDIC.

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