

VIAC – Questionnaire for Arbitrators

1. **Name:** Werner Jahnel

2. **Citizenship:** Austrian / Swiss

3. **Contact information:**

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4. **Current position:** Partner

5. **Education:**

- Doctor of laws (Dr. iur.), University of Graz (Austria)
- Master's degree in International Studies (Public International Law and International Business Law), Graduate Institute of International Studies (IUHEI), Geneva (Switzerland)
- Degree in Law (Mag. iur.), Law Studies at the University of Graz (Austria) and University of Lyon II (France)
- Rechtsanwalt (Vienna, Austria and Zurich/Switzerland); Abogado (Barcelona, Spain)
- Certified Specialist SBA Inheritance Law (Switzerland)

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
38 arbitrations (ICC, Swiss Rules, VIAC, CEPANI, ad-hoc)
- How often have you acted as Chairman?
6
- How often have you acted as Sole Arbitrator?
13
- How often have you acted as Co-Arbitrator?
6
- How often have you acted as Counsel?
36
- How often have you acted in a different function (e.g. Administrative Secretary)?
9

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

Teaching:

- Lecturer in International Dispute Resolution – The Austrian Arbitration Law at Danube University Krems
- Lecturer in International commercial arbitration at the University of Vienna

- Lecturer in the Executive Master of Laws (EXLL.M.) program on international legal practice in International arbitration at Northwestern University, Chicago/Instituto de Empresa, Madrid

Publications:

- Member of the editing committee of b-arbitra, Belgian Review of Arbitration
- Arbitration in matters of succession with special consideration of the Regulation (EU) No. 650/2012; Werner Jahnel, Daniel Sykora, Niklaus Glatthard, 2015; B-Arbitra – Belgian Review of Arbitration, 2015/1, pp. 41-66
- Commentary on Articles 11, 12, 13, 14 and 15 ICC Rules; Werner Jahnel, Anne-Marie Loong, 2013; In: Manuel Arroyo (Ed.), Arbitration in Switzerland - The Practitioner's Guide: Commentary, Wolters Kluwer, AH Alphen aan den Rijn, 2013
- Revision der Swiss Rules – erhöhte Effizienz und Flexibilität; Bernd Ehle, Werner Jahnel, 2012; SchiedsVZ (German Arb. J.) 4/2012, pp. 169-177
- ICC Schiedsgerichtsordnung 2012; Werner Jahnel, 2012; ECOLEX, Fachzeitschrift für Wirtschaftsrecht, 1/2012, pp. 35-39
- Freezing of assets held by foreign parties in Swiss banks; Werner Jahnel, 2010; In: Litigation, Arbitration and Dispute Resolution 2010 (Digital Guide, Executiveview.com), pp. 144-146
- Kommentar der ICC Schiedsgerichtsordnung; Werner Jahnel, Andreas Reiner, 2010; Institutionelle Schiedsgerichtsbarkeit, 1st edition (2005) and 2nd edition (2010), Prof. Rolf A. Schütze, Heymanns Verlag, Berlin
- Anti-suit and anti-arbitration injunctions in international arbitration: A Swiss perspective
- Matthias Scherer, Werner Jahnel, 2009; International Arbitration Law Review, Vol. 12, Issue 4, 2009, pp. 66-73
- Specific issues regarding the recognition and enforcement of foreign arbitral awards in Spain: Can arbitrators still use registered letters with acknowledgement of receipt? Werner Jahnel, 2009; In: "The Award and the Courts", Chapter III, Austrian Arbitration Yearbook 2009, (Ed.) Manzsche Verlags- und Universitätsbuchhandlung GmbH, Vienna, 2009, pp. 435-458
- Co-Author of the commentary on the ICC Rules of Arbitration "ICC Schiedsgerichtsbarkeit", in Schütze (Hrsg.), Institutionelle Schiedsgerichtsbarkeit (volumen I and II).

Conferences:

- ICC - University of Krakow; Workshop ICC Arbitration and ADR Training; Krakow, 9 June 2017
Speaker: Challenge and Enforcement of [foreign] Awards
- Verein Successio; Successio-Forum 2017; Lucerne, 31 March/1 April 2017;
Speaker: Austrian law of inheritance
- Austrian Arbitration Academy; Arbitration Rules in Practice; Vienna, 23 February 2017
Speaker: Evidence and Document Production in International Arbitration
- Austrian Arbitration Association Arb|Aut; Arb|Aut Forum; Vienna, 20 October 2016
Speaker: Suspicions of corruption – what the arbitral tribunal must/may/should do
- International Chamber of Commerce Austria (ICC Austria); Deutsches + Schweizer Recht als Alternative in internationalen Verträgen (German and Swiss law as an alternative in international contracts); Vienna, 19-20 October 2016; Speaker: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis (Overview of specific issues of Swiss law for legal practitioners)
- University of Graz; (Internationales) Erbrecht: Aktuelle Reformen und Schiedsgerichtsbarkeit; Graz, 11 November 2015; Speaker: Schiedsfähigkeit erbrechtlicher Streitigkeiten und Wirksamkeit letztwillig eingesetzter Schiedsgerichte in internationalen Erbfällen
- Tehran Regional Arbitration Centre (TRAC); TRAC International Arbitration Day; Tehran, 8 October 2015; Speaker: Arbitration Involving State Parties: Meaning of "State" and Practical Considerations Related to International Arbitration involving State Parties
- ICC Austria; Schweizer und deutsches Recht als Alternative in internationalen Verträgen (Swiss and German law as an alternative in international contracts); Dornbirn, 6-7 May 2015; Speaker: Vor- und Nachteile für österreichische Anwender und Juristen in der täglichen Vertragspraxis (Overview of specific issues of Swiss law for Austrian legal practitioners)

- ICC - University of Krakow; Workshop ICC Arbitration and ADR Training; Krakow, 17-18 April 2015; Speaker: Challenge and Enforcement of [foreign] Awards
- University of Basel; Recht aktuell BRUSH UP: Aktuelles aus der Schiedsgerichtsbarkeit; Basel, 30 October 2014; Speaker: Stossrichtung der Reformen der institutionellen Schiedsregeln der letzten Jahre und anstehende Revision des 12. Kapitels des IPRG
- International Chamber of Commerce (ICC Paris)/ Young Arbitrators Forum (YAF); 4th ICC / YAF Annual Conference; Istanbul, 13 October 2014; Speaker: Key Points in Submitting Factual Evidence During the Course of the Written Submissions
- Sociedad Boliviana de Arbitraje; 5tas Jornadas Internacionales de Arbitraje en Bolivia; La Paz, 9-10 October 2014; Speaker: El cambio de la sede arbitral por parte de un tribunal arbitral o de una institución: ¿medida de buen proveer o exceso manifiesto a sus facultades conferidas?
- Globalaw round table; International Inheritance Law; Hamburg, 8 May 2014; Speaker: The impact of the EU Regulation on Jurisdiction, Applicable Law, Recognition and Enforcement of Decisions and Acceptance and Enforcement of Authentic Instruments in matters of Succession of 4 July 2012, No 650/2012 on international successions in Switzerland
- ICC Austria; Schweizer und deutsches Recht als Alternative in internationalen Verträgen (Swiss and German law as an alternative in international contracts); Vienna, 6-7 May 2014; Speaker: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis (Overview of specific issues of Swiss law for legal practitioners)
- ICC Morocco; Study of a mock case under the ICC Arbitration Rules; Casablanca, 23-24 April 2014; Speaker: L'instruction du dossier/La Réponse à la Demande d'Arbitrage/Négociation et rédaction de la clause d'arbitrage
- International Chamber of Commerce Austria (ICC Austria); Schweizer + deutsches Recht als Alternative in internationalen Verträgen (Swiss and German law as an alternative in international contracts); Vienna, 14-15 May 2013; Speaker: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis (Overview of specific issues of Swiss law for legal practitioners)
- International Chamber of Commerce Austria (ICC Austria); Study of a complex mock case under the 2012 ICC Arbitration Rules; Vienna, 17-20 October 2012; Speaker/Moderator: Enforceability of awards: particularity of State immunity / Practical aspects of Arbitral Tribunal's deliberations in ICC proceedings
- International Chamber of Commerce Austria (ICC Austria); Deutsches + Schweizer Recht als Alternative in internationalen Verträgen (German and Swiss law as an alternative in international contracts); Vienna, 17-18 April 2012; Speakers: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis (Overview of specific issues of Swiss law for legal practitioners)
- ICC Algeria; Study of a mock case under the ICC Arbitration Rules; Algiers, 28-30 November 2011: Moderator

- International Chamber of Commerce Austria (ICC Austria); Study of a complex mock case under the 2012 ICC Arbitration Rules; Vienna, 9-12 November 2011; Speaker/Moderator: The selection and appointment of arbitrators and confidentiality issues in ICC proceedings
- Wirtschaftskammer Österreich; GOING SWISS – Wissenswertes aus der Praxis für erfolgreiche Geschäfte mit der Schweiz; St. Pölten/Klagenfurt/Vienna, Austria, March and September 2011; Speaker: Rahmenbedingungen im österreichisch-schweizerischen Handelsverkehr
- ICC Tunisia; Problèmes actuels de l'arbitrage international CCI dans le contexte de la révolution en Tunisie; Tunis, 16 June 2011; Speaker
- Deutsche Institution für Schiedsgerichtsbarkeit (DIS); Die Unabhängigkeit und Unparteilichkeit von Schiedsrichtern; Cologne, 14 April 2011; Speaker: Die IBA Guidelines on Conflict of Interest in International Arbitration
- International Chamber of Commerce Austria (ICC Austria); Deutsches + Schweizer Recht als Alternative in internationalen Verträgen (German and Swiss law as an alternative in international contracts); Vienna, 8/9 March 2011; Speaker: Vor- und Nachteile für österreichische Anwender und Juristen in der täglichen Vertragspraxis (Overview of specific issues of Swiss law for Austrian legal practitioners)
- ICC Austria/Association of Young Austrian Arbitration Practitioners (YAAP); Vienna Arbitration Days 2011; Vienna, 4/5 March 2011; Organiser
- Internationale Handelskammer (ICC Paris)/Young Arbitrators Forum (YAF); Arbitration at home or abroad, does it really matter? Geneva, 3 December 2010; Moderator
- Belgian Center for Mediation and Arbitration CEPANI 40; Walking a thin line. What an arbitrator can do, must do or must not do; Brussels, 29 September 2010; Speaker: The Arbitrator as a settlement facilitator
- ICC YAF / YAAP (Austria); Young approaches to arbitration; Vienna 4 April 2009; Moderator

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

ArbAut Austrian Arbitration Association; ASA Swiss Arbitration Association; DIS German Institution of Arbitration; CEA Club Español de Arbitraje; ICDR American Arbitration Association; DAA Dutch Arbitration Association; LIS Liechtenstein Arbitration Association; SVSiE Schweizerischer Verein Schiedsgerichte in Erbsachen

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):

German, English, French, Spanish

10. In which legal system have you trained?

Austria, Switzerland, Spain

11. What is your main jurisdiction of practice?

Austria, Switzerland, Spain

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

- Energy and Natural Resources
- Sales, Purchases and Distribution
- Licensing (cross-licensing agreements)

13. Date of birth: 24 March 1972

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

Zurich, 11 October 2017