

VIAC – Questionnaire for Arbitrators

1. **Name:** Dr. 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? over 70 arbitrations (ICC, SCAI/Swiss Rules, VIAC, CEPANI, UNICITRAL, ad-hoc)
- How often have you acted as Chairman? 6
- How often have you acted as Sole Arbitrator? 15
- How often have you acted as Co-Arbitrator? 7
- How often have you acted as Counsel? 40
- 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 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:

- *Schiedsverfahren in Erbsachen – Länderbericht Schweiz*, 2020, *successio* 4/2020, p. 379-401
- *Revised PILA: setting the ground for trust arbitration in Switzerland?* Werner Jahnel, Roman Huber, 2019, ILO Private Client & Offshore Services Newsletter - Switzerland, 8 August 2019

- *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*; 2012; ECOLEX, *Fachzeitschrift für Wirtschaftsrecht*, 1/2012, pp. 35-39
- *Freezing of assets held by foreign parties in Swiss banks*; 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?* 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:

- International Chamber of Commerce Austria (ICC Austria); *Deutsches + Schweizer Recht als Alternative in internationalen Verträgen*; Webinar, 16 March 2021; Speaker: Overview of specific issues of Swiss law for Austrian lawyers and practitioners
- University of Liechtenstein, Institut für Wirtschaftsrecht; *Private Client Arbitration – Vortragsveranstaltung und Buchpräsentation*; Vaduz, 14 September 2020; Speaker: Keynote Speech
- Vienna Arbitration Days; *Arbitration World Café*; Vienna, 22 February 2020; Table moderator: *Insolvency Issues in International Arbitration*
- Austrian Arbitration Academy; *Arbitration Rules in Practice*; Vienna, 20 February 2020; Speaker: *Evidence and Document Production in International Arbitration*
- Swiss Association for Arbitration in Inheritance Matters (SVSiE); *Arbitrability of and arbitration proceedings in inheritance matters*; Zurich, 6 September 2019; Speaker: *Arbitration proceedings in inheritance matters: country report Switzerland*
- KNeCT 365; *Transcontinental Trusts Litigation Summit*; Geneva, 29 April - 1 May 2019; Moderator: *Arbitration of Trust Disputes*
- 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: Suspensions 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; Vienna, 19-20 October 2016; Speaker: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis
- 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; Dornbirn, 6-7 May 2015; Speaker: Vor- und Nachteile für österreichische Anwender und Juristen in der täglichen Vertragspraxis
- 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?
- Global law 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; Vienna, 6-7 May 2014; Speaker: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis
- 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; Vienna, 14-15 May 2013; Speaker: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis
- 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; Vienna, 17-18 April 2012; Speakers: Vor- und Nachteile für Anwender und Juristen in der täglichen Vertragspraxis
- ICC Algeria; Study of a mock case under the ICC Arbitration Rules; Algiers, 28-30 November 2011: Moderator

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

Vice-president of the Swiss Association for Arbitration in Inheritance Matters (SVSiE); member of the International Advisory Board of the Vienna International Arbitral Centre (VIAC), the working group for Arbitration and Inheritance Law of the Vienna International Arbitral Centre (VIAC), founding member of the Association of Young Austrian Arbitration Practitioners (YAAP) and member of the Swiss Arbitration Association (ASA), the Austrian Arbitration Association (ArbAut), the German Institution of Arbitration (DIS) and the Liechtenstein Arbitration Association (LIS)

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 systems have you trained?

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Civil Law | <input type="checkbox"/> Common Law | |
| <input checked="" 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"/> European Law |
| <input checked="" type="checkbox"/> Spanish law | | |

11. What is your main jurisdiction of practice? Austria, Switzerland, Spain

12. In which jurisdictions are you admitted to the bar? Austria, Switzerland, Spain

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

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Antitrust/Unfair competition | <input type="checkbox"/> Damages | <input type="checkbox"/> Insolvency | <input type="checkbox"/> Power plants |
| <input type="checkbox"/> Aviation | <input checked="" type="checkbox"/> Distribution | <input checked="" type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Private Intern. Law |
| <input 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 type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input type="checkbox"/> Civil fraud disputes | <input type="checkbox"/> Engineering | <input checked="" type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Commodity market | <input type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Maritime arbitration | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Media | <input type="checkbox"/> Telecommunication |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Mining | <input type="checkbox"/> Transport |
| <input type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Natural resources | |
| <input checked="" type="checkbox"/> Other: Private client and trust arbitration | | | |

14. Date of birth: 24 March 1972

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".

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>.

20 May 2021

Date

and

Signature