

VIAC – Questionnaire for Arbitrators

1. Name: Dr. Friedrich Jakob Rosenfeld

2. Citizenship: German

3. Contact information:

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4. Current position:

Partner at Hanefeld Rechtsanwälte;

Global Adjunct Professor of Law at NYU Law in Paris

5. Education:

Bucerius Law School

Columbia Law School

NYU School of Law

PhD (summa cum laude)

6. Practiced experience in arbitration

How many arbitrations have you participated in (domestic/international); under which Rules?

Acted as arbitrator, counsel and secretary in numerous domestic and international proceedings under the ICC Rules, Danish Rules, DIS Rules, CEAC Rules, ICDR Rules, VIAC Rules, the rules of the Hamburg Chamber of Commerce, as well as in ad hoc arbitration proceedings. The applicable laws included German law, Qatari law, Greek law, English law, Turkish law, Dutch law, Romanian law, Israeli law, Austrian law, Danish law, Japanese law and international law.

- How often have you acted as Chairman? 4
- How often have you acted as Sole Arbitrator? 4
- How often have you acted as Co-Arbitrator? 7
- How often have you acted as Counsel? 20
- How often have you acted in a different function (e.g. Administrative Secretary)? Ca. 25

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

- *Author and editor of various books and articles on international arbitration;*
- *Global Hauser Professor from Practice at NYU in New York (Spring 2020);*
- *Global Adjunct Professor of Law at NYU Law in Paris (since 2016);*
- *Visiting Professor at the International Hellenic University in Thessaloniki (since 2013);*
- *Lecturer at the Bucerius Law School in Hamburg (since 2014);*
- *For details, see enclosed CV.*

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

- *Member of the Bucerius Centre for International Dispute Resolution;*
- *Member of the ICC Commission on Arbitration and ADR;*
- *Listed Arbitrator with the Korea Commercial Arbitration Board (KCAB), Panel of International Arbitrators;*
- *Listed Arbitrator with the Dubai International Arbitration Centre (DIAC);*
- *Listed Arbitrator with the Danish Institute of Arbitration;*
- *Listed on the Panel of Arbitrators of the Asia International Arbitration Centre;*
- *Listed on the Panel of Arbitrators of the European Organization for Mediation and Arbitration;*
- *Listed on the Reserve Panel of Arbitrators of the Singapore International Arbitration Centre (SIAC);*
- *Listed on the Panel of Arbitrators of the Thai Arbitration Centre (THAC);*
- *Member of the Arbitrator Committee, Thailand Arbitration Centre (THAC).*

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

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 _____

10. What is your main jurisdiction of practice?

German

11. In which jurisdictions are you admitted to the bar?

Germany

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

Antitrust/Unfair competition

Damages

Insolvency

Power plants

Aviation
Law

Distribution

Insurance

Private Intern.

Banking & Finance
Public Intern. Law

Domain name disputes

Intellect. property (IP)

Capital markets

Employment

ISDS/ Foreign invest.

Real estate

CISG

Energy

Joint ventures

Shipping

Civil fraud disputes

Engineering

Licensing

Sports

Commercial disp. / transactions
contracts

Entertainment

Life sciences

State/Public

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 _post M&A_____

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>.

18 May 2021

Date

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Relevant experience

As arbitrator

- > Sole arbitrator, co-arbitrator and chair in domestic and international arbitration proceedings (ICC, ICDR, VIAC, DIS, DIA, ad hoc, Hamburg Rules)
- > Seats: Denmark, Germany, Switzerland, United States, Austria, Israel, Greece
- > Applicable substantive laws: German, Danish, Greek, English, Austrian, Israeli

As counsel in arbitral proceedings

- > Representation of domestic and foreign companies in domestic and international arbitration proceedings
- > Seats: Germany, Netherlands, Japan, France, Switzerland, Turkey, Israel
- > Applicable substantive laws: German, Qatari, Turkish, Dutch, Japanese, Israeli, International Law

Other

- > Expert on public international law and German law
- > Expert and consultant for various international organizations

Areas of specialization

- > International arbitration in the fields of investments, post-M&A, construction, energy, commercial
- > Public international law and sovereigns

Nationality

- > German

Languages

- > German
- > English
- > French
- > Spanish

Recognitions

- > **“Dr. Friedrich Rosenfeld [is a] brilliant mind.”**
JUVE
- > **“Dr. Friedrich Rosenfeld is decisive.”**
JUVE
- > **“Dr. Friedrich Rosenfeld is excellent.”**
JUVE
- > **“A dedicated sharp lawyer with strong analytical skills and the ability to understand complex legal systems.”**
Who’s Who Legal
- > **“Friedrich is very thorough, quick and smart.”**
Who’s Who Legal
- > **“He is a gifted drafter.”**
Who’s Who Legal
- > **“Friedrich has strong analytical skills.” “He is an up-and-coming lawyer who is dedicated and sharp.”**
Who’s Who Legal
- > **“A brilliant mind.”**
Who’s Who Legal

Professional background

- > **Since 2011**
Attorney with HANEFELD, Hamburg
- > **2011**
Consultant with the United Nations Assistance to the Khmer Rouge Trials (UNAKRT), Phnom Penh
- > **2008 - 2010**
Legal traineeship at the United Nations International Criminal Tribunal for Rwanda in Arusha, the United Nations International Criminal Tribunal for the former Yugoslavia in The Hague and K&L Gates LLP in Paris
- > **2007 - 2010**
Research assistant to Prof. Dr. Dr. Rainer Hofmann, Johann Wolfgang Goethe-University, Frankfurt a.M.
- > **2007 - 2009**
Legal assistant with Hogan Lovells LLP, Hamburg
- > **2008**
Doctor of laws (Dr. iur.) (summa cum laude), Johann Wolfgang Goethe-University, Frankfurt a.M.
- > **2002 - 2007**
Studies of law at Bucerius Law School, Hamburg, and Columbia Law School, New York (scholarship of the German National Academic Foundation)
- > **2005**
Internship with IOM Claims Programmes, Geneva
- > **2004**
Internship with the German Embassy, Lima

Academic appointments

- > Global Professor of Law from Practice, NYU School of Law (spring 2020)
- > Global Adjunct Professor of Law, NYU School of Law in Paris (since 2016)
- > Visiting Professor for International Arbitration, International Hellenic University, Thessaloniki (since 2013)
- > Lecturer for International Investment Protection, Bucerius Law School (since 2014)
- > Lecturer for International Investment Protection, University of Hamburg (2013/2014)
- > Global Hauser Fellow from Practice and Government, NYU School of Law (2014)

Speeches

- > Autonomous versus Domestic Standards under the New York Convention, National University of Singapore, Singapore (2021)
- > A Global Perspective on Due Process in International Commercial Arbitration, NYU Danish Institute of Arbitration Webinar, Copenhagen (2021)
- > Autonomous versus Domestic Standards under the New York Convention, Oslo University Webinar, Oslo (2021)
- > A Global Perspective on Due Process in International Commercial Arbitration, NYU DIAC Webinar, Dubai (2020)
- > Due Process in International Commercial Arbitration, Russian Arbitration Centre Webinar, Moscow (2020)
- > Due Process in International Commercial Arbitration, NYU FGV Webinar, Sao Paolo (2020)
- > The Law Applicable to the Merits, SIAC Webinar, Singapore (2020)
- > Arbitration in a Contactless Society, AIAC Webinar, Kuala Lumpur (2020)
- > The IBA Rules on the Taking of Evidence, New York (2020)
- > The CISG in International Arbitration, New York (2020)
- > Case Management Tools for Saving Costs and Time under the DIS Rules, Thessaloniki (2019)
- > The Proposal for a Multilateral Investment Court, Paris (2019)
- > Arbitration of M&A Disputes, Versailles (2019)
- > Due Process in International Commercial Arbitration, New York (2019)
- > THAC NYU Arbitration Class, Bangkok (2019)
- > Inherent Powers of Arbitrators, Seoul (2019)
- > The Shared System of Control over Arbitral Awards, Lyon (2019)
- > Inherent Powers of Arbitrators to Reconsider and Revise their Decisions, Belgrade (2019)
- > International vs. Domestic Standards in Arbitration, Singapore (2019)
- > Awards – What They are and What They are Not, New York (2019)
- > ISDS: Taking stock of criticism and proposals for reform, Paris (2018)
- > Limits to Party Autonomy in International Commercial Arbitration, Istanbul (2018)
- > Conflict of Laws, Hamburg (2018)
- > THAC NYU Arbitration Class, Bangkok (2018)
- > Hamburg Arbitration School, Hamburg (2018)
- > The Law Applicable to Legal Privilege in International Arbitration, Vienna (2018)
- > The Hardening of Soft Law in International Arbitration, National University of Singapore, Singapore (2018)

- > Inherent Powers of International Adjudicators to Reconsider and Revise their Decisions, Sciences Po, Paris (2017)
- > The Protection of Weak Parties in International Commercial Arbitration, Arbitration Santo Domingo Conference, Santo Domingo (2017)
- > Diverging Approaches towards the Set-Aside of Arbitral Awards, 3rd International Arbitration Congress, Istanbul (2017)
- > International Commercial Arbitration / Challenges of Arbitrators / Recognition and Enforcement of Arbitral Awards, Seminar of NYU and the Thai Arbitration Centre (THAC), Bangkok (2017)
- > Weak Parties in International Arbitration, Conference on the Launch of the Cambridge Compendium on International Arbitration, Vienna (2017)
- > Rule of Law and Arbitration, ILA Committee Meeting, Vienna (2017)
- > Choice of Law Approaches in International Arbitration, Globalization of International Arbitration – Expert Workshop on Contemporary Issues, Challenges and Developments, Tilburg (2016)
- > Mega-Regional Trade & Investment Agreements – Backlash and Reform, Walther Schücking Institute, Kiel (2016)
- > The Rome Regulations in International Arbitration, Conference on the Impact of EU Law on International Commercial Arbitration, NYU, New York (2016)
- > Changing Paradigms of Investment Protection – TTIP and Beyond, 12th International M&A Conference, Milan (2016)
- > Seminar on International Arbitration, Hanoi Law University, Hanoi (2016)
- > Recent Developments in Energy Investment Arbitration, AIJA Congress, Munich (2016)
- > Procedural Challenges in International Arbitration, Summer School in Transnational Commercial Agreements, Litigation and Arbitration, Vicenza (2016)
- > Modernising International Investment Agreements and Investor-State Dispute Settlement Mechanisms, OECD Capacity Building Workshop, Jordan (2016)
- > The Investment Chapter of TTIP, America Center, Hamburg (2016)
- > Recent Challenges of Investment Arbitration, Lions Club, Hamburg (2016)
- > The Proposal for a New Investment Court, Globalization of the International Arbitral Process – Expert Workshop, Tilburg (2015)
- > Introduction to Investment Arbitration, Hamburg Arbitration School, Hamburg (2015)
- > The Future of Arbitration under TTIP, Berlin (2015)
- > Limits to Party Autonomy to Protect Weak Parties in International Commercial Arbitration, New York (2015)
- > Early Dismissal of Claims in Investment Arbitration, Tübingen (2015)

- > The Distinction between Admissibility and Jurisdiction in International Investment Arbitration, IX Seminario Internacional de Derecho Internacional Privado, Madrid (2015)
- > Winning Arbitrations on Weak Points, Generations in Arbitration Conference, Vienna (2015)
- > Security for Costs in International Arbitration, Belgrade Arbitration Conference, Belgrade (2015)
- > The Use of Investment Arbitration to Overcome Compliance Deficits with the New York Convention, Mexican Arbitration Centre, Mexico City (2014)
- > Violating the New York Convention as Grounds for Claims under BITs, Convergence and Divergence of Investment and International Commercial Arbitration Conference, Santo Domingo (2014)
- > Bridging the Gap between Investment and Commercial Arbitration, Global Fellows Forum, New York University School of Law, New York (2014)
- > The State of the International Law on Reparations, International Criminal Court, The Hague (2014)
- > Recent Developments in Investment Protection, DIS40 North, Hamburg (2014)
- > Possible Paradigmatic Changes in the Settlement of Investment Disputes, American Society of International Law / International Law Association Joint Meeting, Washington (2014)
- > The Interplay of Public and Private Paradigms in Investment Arbitration, DIS40 event, Frankfurt a.M. (2013)
- > Abstract Decision-making in International Investment Law, International Law Association Conference, Athens (2013)
- > Dispute Resolution in International Financial Transactions, Global Law Week, New York (2013)
- > Development of Procedural Forms and Methods of Dispute Resolution, Yekaterinburg, Russia (2013)
- > Structuring Investments, European Lawyers Forum, New York (2013)
- > Expert Seminar on Commercial Arbitration, Eriwan, Armenia (2012)

Publications

- > Autonomous versus Domestic Concepts in the New York Convention (co-editor with Franco Ferrari), forthcoming, Kluwer (2021)
- > A Comparative Introduction to International Commercial Arbitration (co-author with Franco Ferrari), forthcoming, Elgar (2021)
- > Due Process as a Limit to Discretion in International Commercial Arbitration (co-editor and co-author with Franco Ferrari and Dietmar Czernich), Kluwer (2020)

- > The Shared Control of Arbitral Awards, in: L. Di Matteo et al. (eds.), *The Cambridge Handbook of Judicial Control over Arbitral Awards*, 441 – 455, Cambridge (2020)
- > Weak Parties in International Commercial Arbitration, forthcoming in: A. Bjorklund / S. Kröll / F. Ferrari, *The Cambridge Compendium on International Arbitration* (2020)
- > Limitations to Party Autonomy in International Commercial Arbitration, forthcoming in: A. Bjorklund / S. Kröll / F. Ferrari, *The Cambridge Compendium on International Arbitration* (co-author) (2020)
- > The Law Applicable to the Merits in International Commercial Arbitration, forthcoming in: A. Bjorklund / S. Kröll / F. Ferrari, *The Cambridge Compendium on International Arbitration* (co-author) (2020)
- > Chapters on Expropriation, Fair and Equitable Treatment, State Responsibility & Compensation, Consent to Arbitrate and the Future of Investment Arbitration, in: F. Ferrari / B. King, *Nutshell on Investment Arbitration* (2019)
- > The Law Applicable to Legal Privilege in International Arbitration, in: F. Ferrari / S. Kröll, *Conflicts of Laws in International Arbitration*, 213 – 238, *Juris* (2019)
- > The Hardening of Soft Law in International Arbitration, 7 No. 2 *European Review of International Arbitration* (2019), 19 – 36, *Juris* 2019
- > Inherent Powers of Arbitrators, *Juris* 2018 (co-editor with F. Ferrari)
- > Inherent Powers of International Adjudicators to Reconsider and Revise their Decisions, 6 No. 2 *European Review of International Arbitration* (2018), 127 – 147, *Juris* 2018
- > Límites a la Autonomía de las Partes en Arbitraje Internacional, X *Revista de Arbitraje Comercial y de Inversiones* (2017), 335 – 386 (co-author)
- > Iura Novit Curia in International Law, 6 No. 1 *European Review of International Arbitration* (2017), 131 – 160, *Juris* 2017
- > The Rome Regulations in International Arbitration – The Road Not Taken, in: F. Ferrari, *The Impact of EU Law on International Commercial Arbitration*, 245 – 283, *Juris* 2017
- > Arbitral Praeliminaria – Reflections on the Distinction between Jurisdiction and Admissibility after *BG v. Argentina*, 29 No. 1 *Leiden Journal of International Law* (2016), 137 – 153, Cambridge University Press
- > Yukos revisited – A Case Comment on the Set-aside Decision in *Yukos Universal Limited (Isle of Man) et al. v. Russia*, *IPrax* (2016), 478 – 483 (co-author)
- > Security for Costs in ICSID Arbitration – A Case Note on *RSM v. St. Lucia*, *Arbitration International* (2016) 1 – 10, Oxford University Press
- > Limits to Party Autonomy to Protect Weak Parties in International Commercial Arbitration, in: F. Ferrari, *Limits to Party Autonomy in International Commercial Arbitration*, 417 – 438, *Juris* (2016)

- > Regime Interactions between the New York Convention and International Investment Law – On Bridging the Gap between Commercial and Investment Arbitration at the Enforcement Stage, 12 No. 2 NYU Journal of Law & Business (2016), 295 – 317 (co-author)
- > Early Dismissal of Claims in Investment Arbitration, in: A. Kulick (ed.), Contracting Parties’ Re-assertion of Control over International Investment Agreements and International Investment Treaty Arbitration, Cambridge University Press (2016), 83 – 102
- > Abstract Interpretations in International Investment Law, in: P. Pazartzis / M. Gavouneli (ed.), Reconceptualising the Rule of Law in Global Governance, Resources, Investment and Trade, Hart Publishing, Oxford (2016), 331 – 343
- > Chapter 10: Germany, in J. Jørgensen (ed.): Finding, Freezing and Attaching Assets – A Multi- Jurisdictional Handbook, Kluwer (2016), 127 – 140 (co-author)
- > The Trend from Standards to Rules in International Investment Law and its Impact upon the Interpretive Powers of Arbitral Tribunals, 108 American Society of International Law, Proceedings of the Annual Meeting (2014), 191 – 193
- > Mass Claims in International Law, Journal of International Dispute Settlement (2013), 159 – 174, Oxford University Press
- > The New UNCITRAL Transparency Rules: How the Trend towards Transparency differs in Investment and Commercial Arbitration, in: Müller, Rigozzi (eds.), New Developments in International Commercial Arbitration 2013, November 2013 (co-authored)
- > The Systemic Integration of International Investment Treaties and the New York Convention, NYU Transnational Notes, December 2012
- > Individual Civil Responsibility for the Crime of Aggression, 10 No. 1 Journal for International Criminal Justice (2012), 249 – 265, Oxford University Press
- > Collective Reparation for Victims of Armed Conflict, 92 No. 879 ICRC Review (2010), 731 – 746, Cambridge University Press
- > Die Humanitäre Besatzung – ein Dilemma des Ius Post bellum (The Humanitarian Occupation – A Dilemma of the Ius Post Bellum), Nomos Publishers, 2009

Memberships

- > American Society of International Law
- > Asia International Arbitration Centre, List of Arbitrators
- > Bucerius Center for International Dispute Resolution (Member)
- > Bucerius Alumni Group on Public International & European Law (Co-chair)
- > Dubai International Arbitration Centre, List of Arbitrators
- > European Organization for Mediation and Arbitration, List of Arbitrators

- > German Arbitration Institute (DIS/DIS40)
- > Hamburg Arbitration Circle
- > ICC Commission on Arbitration and ADR
- > ICC Young Arbitrators Forum
- > ICC Task Force on Arbitration of Climate Change Related Disputes (Member)
- > ICDR Young & International
- > International Bar Association, Arbitration Committee
- > Young ICSID
- > International Law Association, Member of the Committee on Reparation for Victims of Armed Conflict (2011-2014)
- > International Law Association, Alternate Member of the Committee on Rule of Law and International Investment Law (since 2015)
- > Korea Commercial Arbitration Board (KCAB), Panel of International Arbitrators
- > Singapore International Arbitration Centre (SIAC), Reserve Panel of Arbitrators
- > Thailand Arbitration Center (THAC), Panel of Arbitrators
- > Thailand Arbitration Center (THAC), Member of the Arbitrator Committee
- > Vienna International Arbitration Centre (VIAC), List of Arbitrators