

# VIAC – Questionnaire for Arbitrators

1. **Name:** DRAGOS - ALEXANDRU SITARU

2. **Citizenship:** ROMANIAN

3. **Contact information:**

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4. **Current position:**

Professor, Faculty of Law, Bucharest University

Arbitrator, Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania

Attorney at law, Member of the Bucharest Bar Association

5. **Education:**

Law Licentiate Degree - Faculty of Law of Bucharest University, 1975, with "Diploma of Merit", as valedictorian.

Doctor (Ph.D.) in Law, 1982. Field of the doctoral thesis: international commercial arbitration.

6. **Practiced experience in arbitration**

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

International and Domestic arbitration under the Rules of Arbitration of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania: more than 150

International and Domestic arbitration under the Rules of Arbitration of other Courts of Arbitration in Romania - about 3

International arbitration under the ICC Rules of Arbitration - 30

International arbitration under VIAC Rules of Arbitration - 1

International arbitration under the UNCITRAL Rules of Arbitration (ad hoc) - 8

- **How often have you acted as Chairman?**

International and Domestic arbitration under the Rules of Arbitration of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania: more than 25

International arbitration under the ICC Rules of Arbitration - 1

- **How often have you acted as Sole Arbitrator?**

International and Domestic arbitration under the Rules of Arbitration of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania: more than 10

International arbitration under the ICC Rules of Arbitration - 2

International arbitration under VIAC Rules of Arbitration - 1

- **How often have you acted as Co-Arbitrator?**

International and Domestic arbitration under the Rules of Arbitration of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania: more than 100

International arbitration under the ICC Rules of Arbitration - 26

International arbitration under the UNCITRAL Rules of Arbitration (ad hoc) - 8

- **How often have you acted as Counsel?**

International and Domestic arbitration under the Rules of Arbitration of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania: more than 15

International arbitration under the ICC Rules of Arbitration - 2

International arbitration under the UNCITRAL Rules of Arbitration (ad hoc) - 3

- **How often have you acted in a different function (e.g. Administrative Secretary)?**

None

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

**7.1. Author** of two academic treatises and more than 40 monographs and articles in the field of International Commercial Law, Private International Law and Civil Law, edited in Romania and abroad.

**7.2. Main academic treatises published in Romanian (latest editions):**

- Private International Law, Treatise (780 pages), C.H. Beck Publishing House, Bucharest, 2013.

- International Commercial Law, Treatise, General Part (719 pages) and Special Part (457 pages), Universul Juridic Publishing House, Bucharest, 2017.

**7.3. Main legal works published in English:**

- Chapter "Romania" in "Legal Aspects of Doing Business in Europe", Kluwer Law and Taxation Publishers, U.S.A., Supp. 9 in International Business Series, 1998, edited by the Center for International Legal Studies, Salzburg, Austria.

- Country Report for "Romania", in ICC Guide to National Procedures for Recognition and Enforcement of Awards under the New York Convention, edited by ICC International Court of Arbitration Bulletin, vol. 23/Special Supplement - 2012, published in 2013.

- Doing Business in Romania, in Comparative Law Yearbook of International Business, vol. 35/2013, p. 59 - 110, Wolters Kluwer - Law and Business Publishing House, under the auspices of the Center for International Legal Studies, Salzburg, Austria, published in 2013.

- "Corporations and Partnerships in Romania", in "International Encyclopaedia of Laws", published by Kluwer Law International BV, The Netherlands, 2014.

- "The Applicable Law in International Arbitration", in Arbitration in Romania: A Practitioner's Guide, published by Kluwer Law International, The Netherlands, 2016

- "Private International Law in Romania", in "International Encyclopaedia of Laws", published by Kluwer Law International BV, The Netherlands, 2016.

**7.4. Conferences** delivered in Romania and abroad (U.S.A., England, Belgium, Finland, Denmark etc.), in the field of Commercial International Law.

**7.5. Legal advises issued for Romanian and foreign clients** (banks, companies and personalities from Europe, America etc.). Co-author of the draft of the Romanian Commercial Code, 1979/1986.

**7.6. Expert on Romanian Law** nominated before several foreign courts of justice and arbitration institutions (i.e. arbitration courts in London, London Court of Appeal, International Court of

Arbitration of the International Chamber of Commerce of Paris, UNCITRAL arbitrations in Paris, London, Geneva, Vienna etc.).

### **7.7. Distinctions**

- Prize of the Romanian Association of Lawyers, for the Treatise "Private International Law" (1997)
- "Man of the Year 2000", proclaimed by the American Biographical Institute, U.S.A.
- Prize "Nicolae Titulescu" of the Romanian Academy, for the Treatise "International Commercial Law" (2010)
- Prize "I.L. Georgescu" of the Romanian Association of Lawyers, for the Treatise "International Commercial Law" (2017)

### **7.10. Masterships Attended Outside Romania**

1. International Institute of Human Rights, Strasbourg, France (1981).
2. Mastership for Documentation on Higher Education, Great Britain (1991).
3. Mastership within the "TEMPUS" Program, at the Université Libre of Brussels (Belgium) and the Bradford University (England), 1992.
4. Titular of a NATO Mastership on "Democratic Institutions"(1992-1993), with the theme: "The Trade Companies and the Stock Exchanges, Instruments for Speeding - up the Privatization During the Period of Transition to the Market Economy in Romania; the Consonance of their Legal Regime with the International Law in the Matter".

### **7.11. Participation at Major International Scientific Reunions**

- 1) International Symposium on "Consumer Protection in A Changing World", organised by Tokai University European Center, Vedbaek, Denmark, 3-4 Mai 1991
- 2) Eason - Weinmann Colloquium on "The Impact of European Integration: Beyond 1992", organised by Tulane Law School - New Orleans and the Institute of International Economic Law, Faculty of Law, University of Helsinki (Finland), 3 - 4 June 1992
- 3) 1-st World Law Conference on "Law in Motion", organised by International Encyclopaedia of Laws, Brussels (Belgium), 9 - 12 September 1996
- 4) The 33-rd Session of UNCITRAL, United Nations, New York, S.U.A., 28 June - 10 July 2000
- 5) International Seminar on "Arbitration in Air and Space Law including Telecommunications Activities: Enforcing Regulatory Measures", The Hague (The Netherlands), 23 February 2001
- 6) International Seminar on "Austria and its Neighbours - Arbitration Today and Tomorrow", Vienna (Austria), 11 April 2003
- 7) International Seminar on "The Marriage of Arbitration and ADR", London (Great Britain), 26 September 2003
- 8) International Seminar on "Implications for the Future of the International Commercial Arbitration", The Hague (The Netherlands), 22 - 23 April 2004
- 9) The XVII Conference of International Council for Commercial Arbitration (ICCA) on "New Horizon in International Commercial Arbitration and Beyond", Beijing (China), 16 -18 May 2004
- 10) International Colloquium on "Codes et codification", organised by Laval University, Quebec, Canada, 19 - 21 September 2004
- 11) International Conference of the Venice Court of Arbitration (VENCA) on "The Evolution of International Arbitration in the E.U.: Jurisprudence and Professional Practice", Venice (Italy), 16 - 17 September 2005
- 12) "ICC and ICC India Events", New Delhi (India), 29 November - 1 December 2006
- 3) International Congress of International Council for Commercial Arbitration (ICCA) on "Arbitration Advocacy In Changing Times", Rio de Janeiro (Brazil), 24 - 27 May 2010
- 4) 14-th Annual International Arbitration Day, on "The inherent powers of arbitral tribunals: good faith, ethics and efficiency in international arbitration", organised by International Bar Association, 3-4 March 2011, Seoul, South Korea
- 15) International Conference "Practical Aspects in the Application of Arbitration Procedure Rules: Comparative Perspective of the ICC Arbitration Rules 2012 and the Arbitration Rules of the Court

of International Commercial Arbitration attached to the Romanian Chamber of Commerce and Industry", Bucharest, 11 November 2011

16) 15-th Annual International Arbitration Day, on "Neutrality: myth or reality?", organised by International Bar Association, 8-9 March 2012, Stockholm, Sweden

17) International Conference "Modern Trends in International Commercial Arbitration", organised by the Faculty of Law of Bucharest University, 7 September 2012

18) 16-th Annual International Arbitration Day, on "Making the Award: need we rethink the process?" organised by International Bar Association, 21-22 February 2013, Bogota, Columbia.

19) International Congress of International Council for Commercial Arbitration (ICCA) on "Legitimacy: Myths, Realities, Challenges", Miami (USA), 6 - 9 April 2014

20) International Conference "New Perspectives in Construction Law", organised by the Romanian Society of Construction Law, Bucharest, 19-21 March 2015

21) 4th World Conference on Business, Economics and Management, 30 April -2 May 2015, Izmir, Turkey

22) International Conference "International Arbitration LLM Alumni meet Practitioners", on "States and State Enterprises in International Arbitration", organised by the Faculty of Law of Bucharest University, 16 October 2015

23) International Conference "Arbitration in Eastern Europe - Trends and Developments", organised by the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania, in association with European Arbitration Group, Bucharest, 24 November 2015

24) ICON-S Conference on "Borders, Otherness and Public Law", held at Humboldt University Berlin, Germany, 17-19 June 2016

25) 11th ICC New York Conference on International Arbitration, New York, U.S.A., 14 September 2016

26) Annual Conference of the International Bar Association, 8-23 September 2016, Washington D.C., U.S.A.

27) Conference "Difficult Problems in Arbitration", organised by Juridice.ro, at the headquarters of the Court of International Commercial Arbitration attached to the Romanian Chamber of Commerce and Industry", Bucharest, 16 February 2017

28) Conference "Arbitration in Highly Regulated Sectors: Energy, Telecom, Pharma, Banking & Finance", organised by the Club Español del Arbitraje, in cooperation with the ICC and ICC Belgium, Brussels, 17 February 2017

29) 20-th Annual International Arbitration Day, on "Burden and standard of proof in international arbitration and related proceedings", organised by International Bar Association, 30-31 March 2017, Milano, Italy.

30) Annual Conference of the International Bar Association, 8-13 October 2017, Sydney, Australia

31) ICC Institute of World Business Law Working Session, 5-7 March 2018, Tokyo, Japan.

32) Conference "International Law and Emerging Powers: New Policy Challenges in Asia-Pacific", 17-18 May 2019, Taipei, Taiwan.

33) Conference "Bucharest Arbitration Day", organised by the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania, 6-7 June 2019, Bucharest.

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

**8.1.** Member of the Panel of Conciliators and Arbitrators of the International Centre for Settlement of Investment Disputes (ICSID), Washington D.C., U.S.A., designated by Romania as Contracting State (2008-2014 and 2016-2022).

**8.2.** Member of the ICC International Court of Arbitration, appointed by the World Council, at the proposal of the ICC Romania National Committee (2016-2018).

**8.3.** Member of the ICC Commission on Arbitration and ADR and Country Rapporteur for Romania in the ICC "Task Force on National Rules of Procedure for Recognition and Enforcement of Foreign Awards pursuant to the New York Convention of 1958", appointed by the Romanian National Committee of the ICC (since 2011).

**8.4.** Member of the Working Group for Arbitration and Conciliation of UNCITRAL (since 2016).

**8.5.** Member of the ICC Central and Eastern European Arbitration Group - CEEAG (since 2017).

**8.6.** Member of the Steering Board of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania (2014-2015).

**8.7.** Member of the Scientific Council of the "Romanian Magazine of Arbitration", published by the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania (since 2007).

**8.8.** Member of the Scientific Council of the "Maritime Law Review", published by Universul Juridic Publishing House (since 2010).

**8.9.** Member of the Foundation "Nicolae Titulescu", Bucharest (since 1990)

**8.10.** Member of the International Law Association (since 2003)

**8.11.** Member of the International Council for Commercial Arbitration - ICCA (since 2018)

## 9. Languages

Mother tongue: Romanian

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 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** Romanian Law

## 11. What is your main jurisdiction of practice?

Romanian

## 12. In which jurisdictions are you admitted to the bar?

Romanian

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

Antitrust/Unfair competition

Damages

Insolvency

Power plants

Aviation

Distribution

Insurance

Private Intern.  
Law

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Banking & Finance Law                      | <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 checked="" 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 type="checkbox"/> Licensing                        | <input type="checkbox"/> Sports                 |
| <input checked="" 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 checked="" type="checkbox"/> Company/Corporate/M&A           | <input type="checkbox"/> Hotel/Gastro./Tour.     | <input type="checkbox"/> Media Telecommunication          | <input type="checkbox"/>                        |
| <input checked="" type="checkbox"/> Construction                    | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Mining                           | <input type="checkbox"/> Transport              |
| <input checked="" type="checkbox"/> Contract law                    | <input type="checkbox"/> Infrastructure          | <input type="checkbox"/> Natural resources                |   |
| <input type="checkbox"/> Other _____                                |  |   |   |

**14. Date of birth:** 16 August 1952

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>.

18 May 2021

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Date

and

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Signature