

# VIAC – Questionnaire for Arbitrators

- 1. Name:** Ana Stanič
- 2. Citizenship:** British, Slovene, Australian
- 3. Contact information:**  
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- 4. Current position:** Founder and Partner at E&A Law Limited,  
Visiting professor at Technische Universität, Berlin, Germany  
Visiting professor at UIBE, Beijing, China  
Member of the Court of the Permanent Court of Arbitration in The Hague
- 5. Education:** **PhD in Law**, Cambridge University, UK, expected 2021  
**LLM** (First Class Honours), Cambridge University, UK, 1996  
**LLB** (Top 6%), University of New South Wales, Australia, 1994  
**Bachelor of Finance and Banking** (Awarded with Merit, top 3%), University of New South Wales, Australia, 1994
- 6. Practiced experience in arbitration**  
Represented and advised clients in more than 15 commercial and investment arbitrations (all international) before the following arbitral institutions ICSID, VIAC, ICC, LCIA, LMAA, UNCITRAL, and SCC as well as in UNCITRAL arbitrations before various seats and governed by a variety of substantive and procedural laws (including Austrian, Croatian, English, Macedonian, Norwegian, Slovenian, Swiss, and Swedish law).
- How often have you acted as Chairman?  
/
  - How often have you acted as Sole Arbitrator?  
/
  - How often have you acted as Co-Arbitrator?  
2
  - How often have you acted as Counsel?  
15
  - How often have you acted in a different function (e.g. Administrative Secretary)?

Appeared as Expert at European Economic and Social Committee (EUSOC) on the law of the sea, international trade and investment law implications of the amendments proposed by European Commission to the gas directive

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

### **Visiting positions:**

*UIBE Law School*, Beijing, China, Visiting professor in public international law, 2018 – present

*Technische Universität*, Berlin, Germany, Visiting professor in EU energy law, 2015 – present

*Dundee University*, Dundee, United Kingdom, Visiting professor of international investment treaty and commercial arbitration, 2013 – 2019

*School of African and Oriental Studies*, United Kingdom, Visiting lecturer in international commercial and investment treaty arbitration, 2007 – 2012

*Notre Dame University*, United Kingdom, Visiting professor of international commercial arbitration, 2007 – 2013

*British Institute of International and Comparative Law*, London, United Kingdom, Research fellow – public international law, 2003 – 2004

*Lauterpacht Research Centre of International Law*, Cambridge, United Kingdom, Research fellow – public international law, 2003 – 2004

### **Selected workshops and seminars:**

- Seminar on *The conduct of the proceedings and case management - The arbitrator's perspective*, ICC Institute Training, September 2019, Minsk.
- Workshop on *The Role of experts through different perspectives: Arbitrator's, counsel's and expert's view*, organised by Deloitte, ICC Croatia and E&A Law Limited, May 2018.
- *EU Law and International Treaty Arbitration*, UNCTAD Workshop on Foreign Direct Investment Trends and Policies, September 2011, Zagreb.

### **Conferences in last 4 years (for full list go to [www.ealaw.eu/news.html](http://www.ealaw.eu/news.html))**

- *Implications of the recent German Constitutional Court Decision in particular on the relationship between CJEU and national courts*, virtual panel chaired by Dr Markus Burgstaller, co-panelists Professor Dieter Grimm and Professor Miguel Poiares Maduro, June 2020.
- *Enforcement of investment treaty arbitral awards and the interplay between EU law and investment treaty law post Achmea and in light of recent UK Supreme Court decision in the Micula case*, World Café – Vienna Arbitration Days, February 2020, Vienna.
- *Achmea Judgment – An Update*, 27<sup>th</sup> Croatian Arbitration Days, December 2019, Zagreb.
- *Panel speaker at Session II (Arbitration Serving Belt & Road Finance and Infrastructure Construction)*, Belt and Road Arbitration Institutions Roundtable Forum, November 2019, Beijing.
- *Arbitrator's experience of resolving construction disputes internationally and the SEE region*, ICC Conference on Effective Management and Dispute Resolution under FIDIC, June 2019, Zagreb.
- *The jurisdictional and enforcement implications of the CJEU decision in the Achmea case*, International Arbitration Conference, March 2019, Skopje.
- *The enforcement and other implications of the Court of Justice of the EU's decision in the Achmea case*, 26<sup>th</sup> Croatian Arbitration Days, December 2018, Croatia.

- *Overcoming the enforcement gap: how can human rights litigation and arbitration be enhanced to meet the challenges of climate change?*, Climate Change, Responsibility and Liability International Conference, November 2018, Graz.
- *Potential of Arbitration Involving New Types of Claims*, a panel discussion at the ICCA 2018, April 2018, Sydney, Australia.
- *Overcoming Challenges in Arbitration & ADR: The Users' and Counsels' Perspective*, Paris Arbitration Week, April 2018, Paris.
- *The Impact of One Belt One Road on energy disputes in MEA*, a panel discussion (chaired) at the 3rd Annual Conference on Energy Arbitration and Dispute Resolution in the Middle East and Africa on 6 March 2018, London.
- *Procedural issues in commercial arbitration*, a panel discussion at the 25th Croatian Arbitration Days, December 2017, Zagreb.
- *Regional Challenges in CEE region*, a panel discussion (chaired) at ICC's Conference on International Arbitration, October 2017, Sofia.

#### **Selected books, articles and publications:**

- *Brexit and Energy*, forthcoming book
- *The Future of Investment Treaty Arbitration in the EU: Intra-EU BITs, the Energy Charter Treaty, and the Multilateral Investment Court*, co-edited by Crina Baltag and Ana Stanič, WoltersKluwer, July 2020 ([link](#))
- *Enforcement of Awards and Other Implications of Achmea*, a chapter in *The Future of Investment Treaty Arbitration in the EU: Intra-EU BITs, the Energy Charter Treaty, and the Multilateral Investment Court*, co-edited by Crina Baltag and Ana Stanič, WoltersKluwer, July 2020 ([link](#)).
- *ICSID Trumps State Aid in the UK but Uncertainty Remains Regarding Enforcement of New York Convention Awards in post-Brexit UK*, *European State Aid Law Quarterly (EStAL)*, Vol 19 (2020), Issue 2, July 2020 ([pdf](#)).
- *What Can Arbitration and Human Rights as Mechanisms of Dispute Resolution Learn from Each Other in Order to Meet the Challenges of Climate Change?*, ICCA Sydney 2018 Congress Book, 24 December 2019 ([pdf](#)).
- *LNG and gas price reviews in the EU: Lessons for Japan*, Japan Oil and Gas Metal Corporation, April 2019 ([pdf](#)).
- *Europski sud: Recentne odluke idu naruku Hrvatskoj u arbitražama*, *Lider*, 3 August 2018. Article is available in Croatian ([pdf](#)).
- *The Role of a Lawyer in Arbitration (Vloga odvetnika v arbitražnem postopku)*, Slovenian arbitration days ([pdf](#)).
- *Challenging Arbitrators and the Importance of Disclosure: Recent Cases and Reflections*, [2009] 16 *Croatian Arbitration Yearbook* 205 ([link](#)).
- *Changes in the European Gas Market and Price Review Arbitrations*, special edition of the *Journal of Energy and Resource Law on Energy Disputes*, August 2007 ([pdf](#)).

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

Member of the PCA Court since August 2019

ICC Commission on Arbitration and ADR

ICC Commission on Arbitration in CEE

ICC Task Force on Arbitration and Climate Change

ICCA Task Force on Gender Diversity in Arbitral Appointments and Proceedings

Arbitral Panels:

CIETAC

VIAC

Croatian Court of Arbitration  
Slovenian Arbitration Court  
Georgian International Arbitration Centre

## 9. Languages

Mother tongues: English, Slovene

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):

Croatian, Serbian, Bosnian, Italian

Also knowledge of French, Catalan, Spanish and Russian

### In which legal systems have you trained?

- |                                       |  |  |
|---------------------------------------|--|--|
| <input type="checkbox"/> Civil Law    | <input checked="" type="checkbox"/> Common Law |  |
| <input type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law         | <input 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 checked="" type="checkbox"/> European Law |

Other: excellent knowledge of laws of Slovenia and other former republics of Yugoslavia

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

England and Wales

Expertise in CEE countries and CIS.

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

Ireland, since September 2020

English Solicitor Advocate with Higher Rights of Audience since 2001

Admitted as a solicitor in NSW, Australia in 1999

## 12. 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 type="checkbox"/> Distribution             | <input type="checkbox"/> Insurance                               | <input type="checkbox"/> Private Intern. Law                  |
| <input checked="" type="checkbox"/> <b>Banking &amp; Finance</b> | <input type="checkbox"/> Domain name disputes     | <input type="checkbox"/> Intellect. property (IP)                | <input checked="" type="checkbox"/> <b>Public Intern. Law</b> |
| <input type="checkbox"/> Capital markets                         | <input type="checkbox"/> Employment               | <input checked="" type="checkbox"/> <b>ISDS/ Foreign invest.</b> | <input type="checkbox"/> Real estate                          |
| <input type="checkbox"/> CISG                                    | <input checked="" type="checkbox"/> <b>Energy</b> | <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 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 checked="" type="checkbox"/> <b>Natural resources</b>     |   |
| <input type="checkbox"/> Other _____                             |   |  |   |

## 13. Date of birth: 8 April 1970

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](mailto: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>.

27 October 2020

Date

and

Signature