VIAC – Questionnaire for Arbitrators

1. Name: Mgr. **Michal ČÁP**, LLM, MCIArb

2. Citizenship: Czech Republic

3. Contact information:

Address: ROWAN LEGAL, Gemini A, Na Pankráci 1683/127, 140 00 Prague 4, Czech Republic

(currently residing in Hong Kong)

Telephone: +420 224 216 212
Fax: +420 224 215 823
E-Mail: cap@rowan.legal

Website: http://www.rowanlegal.com/en/team/associates/michal-cap/
LinkedIn: https://www.linkedin.com/in/michal-cap-mciarb-49182b24

4. Current position:

Senior Associate (advokát), ROWAN LEGAL

5. Education:

The University of Hong Kong (Sep 2013 – Jun 2014)

• LL.M. in Arbitration and Dispute Resolution (Passed with Distinction)

Charles University in Prague (Sep 2003 – Jan 2009)

Master of Laws ("Mgr.")

The University of Turku, Finland (Aug 2006 – May 2007)

Two semesters with the Erasmus programme at the Turku Law School

6. Practiced experience in arbitration

How many arbitrations have you participated in (domestic/international); under which Rules?
 80+ (50 / 30+)

ICC, Czech Arbitration Court, VIAC, Arbitration under the Czech National Football Association, Rules of Arbitration of the Czech Olympic Committee

- How often have you acted as Chairman? 1
- How often have you acted as Sole Arbitrator? 5
- How often have you acted as Co-Arbitrator? 2
- How often have you acted as Counsel?
 10 + (ICC, Czech Arbitration Court; sport arbitration / antidoping cases: various sport federations and WADA Rules)
- How often have you acted in a different function (e.g. Administrative Secretary)?
 70+

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

<u>Awards</u>

Who's Who Legal / Global Arbitration Review – Arbitration Future Leaders (2017 to 2021), non-partners list, Czech Republic

Recent Publications and Speaking Engagements

- Co-author of Czech chapter <u>Investment Arbitration in Central and Eastern Europe</u>, Elgar publishing, main editor: Dr Csongor Nagy, 2019.
- Article on new opportunities in arbitrations held in Hong Kong courts in mainland China can enforce interim
 measures issued by tribunals (Nové možnosti rozhodčího řízení), Lidové noviny, July 2019.
- Speaker at <u>ICC YAF event</u>: The psychology of decision-making in international arbitration, Warsaw (Poland), May 2019.
- Speaker, chair of the panel (and co-organizer of the event): The Future of Investment Arbitration in Europe in the Wake of Achmea, for Better or for Worse..., <u>annual conference</u> of the Chartered Institute of Arbitrators (CIArb), European Branch, Prague (Czech Republic), April 2019.
- Speaker, chair of the panel (and co-organizer of the event): The good, the bad, and the ugly. What has
 arbitration done for you? ICC Prague Arbitration Day 2019, Prague (Czech Republic), March 2019.
- ICC Prague Arbitration Day 2018 Opportunities and Challenges for Arbitration in the CEE Region, (Právní rádce, March 2018, co-author).
- ICC Rules update 2017, Expedited Procedure Rules; ICC Czech Republic, together with Dr Olík (Oct 2017).
- New ICC Rules Aim to Make Arbitration Proceedings Cheaper and Faster (Epravo.cz, Sep 2017, co-author).
- Article on EU Regulation on European Account Preservation Order (Právní rádce, Jan 2017, co-author).
- End of Arbitral Proceedings Between Consumers and Entrepreneurs (Právní rádce, Nov 2016, co-author).
- Comparison of Settlement Efforts by Arbitrators and Mediators (The International Journal of Arbitration, Mediation and Dispute Management by CIArb / Sweet & Maxwell, Aug 2016, co-author).
- Mediation and large law firms: what mediation is, what are its benefits and why offer these services to clients (Epravo Digital; November 2015; co-author).
- Report from the seminar "Investor-State Dispute Resolution: PCA and other latest developments" (Asian Dispute Review; April 2015).
- Case note Firstlink case (Asian Dispute Review; October 2014).
- Report from the lecture of Neil Kaplan "Hong Kong: The Rule of Law in all its Glory" (Global Arbitration Review; October 2014).

Academic / research activities

- CDRC VIENNA / the IBA-VIAC Mediation and Negotiation Competition: Coach of a team of the Charles University in Prague (2016 – 2018)
- The Hong Kong Arbitration Ordinance: Commentary and Annotations: Editorial & Research Assistant for the General Editors (J. Choong and R. Weeramantry); published by Sweet & Maxwell in 2015

•	International Arbitration: Practice, Process and Strategy: Teaching assistant for C. Bao and R. Weeramantry at their course at the University of Hong Kong (January 2015 – May 2015)
•	Asian Dispute Review: Editorial Assistant (Jul 2014 – May 2015)
•	International Commercial Arbitration: An Asia-Pacific Perspective: Editorial & Research Assistant to S.

Vis Moot (East) (pre)moots, International ADR Mooting Competition (2013 – present): arbitrator

<u>Internships</u>

HKIAC (2011), ICC Court of International Arbitration (Asia office, Hong Kong, 2015)

Greenberg, C. Kee, and R. Weeramantry (July 2014 – May 2015)

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

Chartered Institute of Arbitrators (CIArb), Member (MCIArb); former Vice-Chair of the CIArb European Branch (2018 – 2020)

The Commission on International Arbitration, ICC Czech Republic (member of founding and organising team of the ICC Prague Arbitration Days, 2018 / 2019)

AFIA (Asia-Pacific Forum for International Arbitration)

9. Languages

Mother tongue: Czech

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										
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										
11. What is your main jurisdiction of practice?										
Czech Republic / Hong Kong										
12. In which jurisdictions are you admitted to the bar?										
Czech Republic										
13. Special expertise or specializations (please list a maximum of five):										
☐ Antitrust/Unfair competition	□ Damages	☐ Insolvency	□ Power plants							
☐ Aviation	☐ Distribution	☐ Insurance	☐ Private Intern. Law							
☐ Banking & Finance	☐ Domain name disputes	☐ Intellect. property (IP)	Public Intern. Law							
☐ Capital markets	☐ Employment	☐ ISDS/ Foreign invest.	✓ Real estate							
☐ CISG	☐ Energy	☐ Joint ventures	☐ Shipping							

☐ Civil fraud disputes		Engineering		Licensing	✓	Sports				
✓ Commercial disp. / transactions		Entertainment		Life sciences		State/Public contracts				
☐ 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										
14. Date of birth: 1984										
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".										
\checkmark 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 .										
30 June 2021 Date	a	nd S	gna	ture						