

VIAC – Questionnaire for Arbitrators

1. Name: Maria Nicole Cleis

2. Citizenship: Swiss

3. Contact information:

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4. Current position:

Managing Associate

5. Education:

Dr. iur., University of Basel, 2016

LL.M., Harvard Law School, 2014

lic. iur., University of Basel, 2007

CDT, University of Geneva, 2005

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
Ca. 30 international, Swiss Rules, ICC Rules, SCC Rules, ICSID Convention & Rules
1 domestic (Switzerland), ad hoc
- How often have you acted as Chairman?
Once
- How often have you acted as Sole Arbitrator?
Once
- How often have you acted as Co-Arbitrator?
Once
- How often have you acted as Counsel?
Ca. 25
- How often have you acted in a different function (e.g. Administrative Secretary)?
Three times

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

Publications:

- The Independence and Impartiality of ICSID Arbitrators. Current Case Law, Alternative Approaches, and Improvement Suggestions, Nijhoff International Investment Law Series, Vol. 8, Leiden / Boston 2017
- Federal Supreme Court annuls arbitration award in ISDS case: illegal limitation of “nationality planning” in Clorox v. Venezuela, dRSK, 9 July 2020
- Federal Supreme Court re-confirms liability ruling in Natland v. Czech Republic: Czech Republic’s only loss in a solar case upheld, dRSK, 24 August 2020

- Federal Supreme Court confirms EUR 1.5 billion arbitration award in favour of Türkmengaz, dRSK, 7 April 2021
- Commentary on Article 190a PILA (review) (with Marco Stacher), in: Aebi-Müller/Müller (eds.), Berner Kommentar – Kommentar zum schweizerischen Privatrecht, 2023
- Commentary on Article 43 Swiss Rules (Emergency Relief) (with Andrea Meier), in: Zuberbühler/Müller/Habegger (eds.), Swiss Rules of International Arbitration – Commentary, 3rd ed., 2023
- Awards in Deutsche Telekom v. India Upheld in Switzerland Swiss Federal Court Dismisses Request for Review as Inadmissible and Belated, dRSK, 9 June 2023

Other activities:

- Lecturer in International Investment Law, University of Neuchâtel, 2016-2018
- Regular speaking engagements at conferences, for example on:
 - Arbitration and the Enforcement of Foreign Awards in Switzerland (International Conference: 60 Years of the New York Convention, Seville, April 2018)
 - Arbitration and the Enforcement of Foreign Awards in Switzerland (ICC YAF Conference, Istanbul, June 2018);
 - The Judgment of the European Court of Justice in Achmea (C-284/16) and its importance for Switzerland (September 2018);
 - The independence and impartiality of ICSID arbitrators (April 2019);
 - Virtual arbitration hearings (May 2020);
 - Recent case law of the Swiss Federal Tribunal in investment arbitration (September 2020);
 - Virtual Hearings (American Bar Association, International Law Section, Litigation Skills Conference, May 2021)
 - Using Social Media Effectively (ArbitralWomen, April 2022)
 - Independence and Impartiality in ISDS (ArbitralWomen, March 2023)
 - Arbitration & Parenthood (ASA b40, DIS40, ArbitralWomen, September 2023)
 - Arbitration of corporate disputes in Turkey and in Switzerland (ASA b40, Young ISTAC, October 2023)

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

none

9. Languages

Mother tongue: German and 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 (Can conduct arbitration fully)
- German (Can conduct arbitration fully)
- French (Can hear evidence and submissions, Can review evidence and submissions)
- Czech (Can hear evidence and submissions, Can review evidence and submissions)
- Italian (Can review evidence and submissions)
- Spanish (Can review evidence and submissions)

10. In which legal systems have you trained?

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Civil Law | <input type="checkbox"/> Common Law | |
| <input 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"/> | <input type="checkbox"/> European Law |
- Other _____

11. What is your main jurisdiction of practice?

Switzerland

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

Switzerland

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"/> Natural resources |
| <input type="checkbox"/> Aviation | <input checked="" type="checkbox"/> Distribution | <input type="checkbox"/> Insurance | <input type="checkbox"/> Power plants |
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | <input type="checkbox"/> Intellect. property (IP) | <input checked="" type="checkbox"/> Private Intern. Law |
| <input type="checkbox"/> Capital markets | <input type="checkbox"/> Employment | <input checked="" type="checkbox"/> Investment arbitration | <input checked="" type="checkbox"/> Public Intern. Law |
| <input checked="" type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input type="checkbox"/> ISDS/Foreign inves. | <input checked="" type="checkbox"/> Real estate |
| <input type="checkbox"/> Civil fraud disputes | <input checked="" type="checkbox"/> Engineering | <input checked="" type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input checked="" type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input checked="" type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input type="checkbox"/> Commodity market | <input type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |
| <input checked="" type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Maritime arbitration | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Media | <input type="checkbox"/> Telecommunication |
| <input checked="" type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Mining | <input type="checkbox"/> Transport |
- Other _____

14. Date of birth: 20.11.1982

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>.

9. 11. 2023

Date