

VIAC – Questionnaire for Arbitrators

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4. **Current position:** Independent arbitrator, consultant and trainer;
Presiding judge at the Court of Appeal of Paris (on leave of absence);
Retired in 2017 as the Secretary of the United Nations Commission on International Trade Law (UNCITRAL).
5. **Education:** University of Paris II (Panthéon-Assas), Master's degree in private law, 1979;
Paris Institute of Political Studies, diploma, 1980, section "service public";
Ecole Nationale de la Magistrature, 1981.

6. Practiced experience in arbitration

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

My arbitration-related experience comprises legislative drafting and standards setting in the context of a leading inter-governmental organization, the United Nations Commission on International Trade Law (UNCITRAL). In the field of arbitration, I had a managing role and direct personal input in the design, drafting, finalization and subsequent promotion of the following standard texts: Technical Notes on Online Dispute Resolution (2016); UNCITRAL Secretariat Guide on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (2015); UNCITRAL Notes on Organizing Arbitral Proceedings (revised version, 2015); United Nations Convention on Transparency in Treaty-based Investor-State Arbitration ("Mauritius Convention on Transparency", 2014); UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration (2013); Recommendations (2012) to assist arbitral institutions and other interested bodies with regard to arbitration under the UNCITRAL Arbitration Rules (as revised in 2010); UNCITRAL Arbitration Rules (revised version, 2010).

In addition, I have experience with adjudicating cases dealing with the recognition and enforcement of arbitral awards by the Paris Court of Appeal (main decision rendered in the field of international investment arbitration on the execution of an arbitral award issued by the ICC: Ordonnance du 9 mai 2018 - RG No. 17/12591 République du Congo c. S.A. Commisimpex).

- How often have you acted as Chairman?
As long as I served as a United Nations international civil servant or as an active member of the French Judiciary, I was not available to act as an arbitrator.
- How often have you acted as Sole Arbitrator?
- How often have you acted as Co-Arbitrator?
- How often have you acted as Counsel?

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

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

Selected publications:

ICC and UNCITRAL: makers of norms in international arbitration (co-author: Jae Sung LEE); ICC dispute resolution bulletin (Paris), 2:27-35, 2018;

Foreword to the "UNCITRAL Secretariat Guide on the New York Convention" (edited by Emmanuel Gaillard and George A. Bermann) Brill/Nijhoff 2017);

Foreword (co-author: Hrvoje Sikirić) to: "35 years of CISG - present experiences and future challenges" [conference materials] / Hrvoje Sikirić, Tomislav Jakšić, Antun Bilić (eds.): University of Zagreb, Faculty of Law, (2016);

UNCITRAL and the Rules on Transparency; Revue des juristes de Science Po (Paris) 9:19-23, 2014;

The role of UNCITRAL in fostering the rule of law (co-author: S. Musayeva); Chapter 6 in "Promoting the rule of law: a practitioner's guide to key issues and developments", edited by Lelia Mooney, foreword by Justice Richard J. Goldstone; American Bar Association, 2013;

Welcome address, p. 13-18 in "Arbitration reform in the Asia Pacific Region: opportunities and challenges, Korea Chamber of Commerce & Industry, Seoul, 2013" [conference materials]; Ministry of Justice, Republic of Korea; Korean Commercial Arbitration Board; 2013;

UNCITRAL and comparative law, p. 345-361 in "Asian law in the 21st century & inaugural meeting of the Asia Academy of Comparative Law", conference papers, College of Comparative Law, China University of Political Science and Law, Beijing, China, 2013;

Implementation of the United Nations Convention on the International Sale of Goods and the system of international commercial arbitration in Southeast Europe: a report on a GTZ project, undertaken with the support of UNCITRAL (co-authors: F. v. Schlabrendorff; J. Knieper); Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ, 2010);

Prevention of corruption in procurement and government contracting in "Corruption Free Asia - a Long Term Vision", Doha 9-11 June 2008: conference documents, Doha, National Committee for Integrity and Transparency, 2009. p. 157-167;

L'œuvre normative de la CNUDCI dans le domaine du règlement des différends in « L'arbitrage en France et en Amérique Latine à l'aube du XXIe siècle: aspects de droit comparé », edited by Fauvarque-Cosson, B. et A. Wald; Paris, Société de législation comparée, 2008. p. 43-59;

Possible work to increase the enforceability of arbitral awards in the European Union: reflexions from a global perspective in "Die Vollstreckung von Schiedssprüchen". Köln, Carl Heymanns Verlag, 2007. p. 191-209;

UNCITRAL's current work in the field of international commercial arbitration; Journal of international arbitration (London) 22:6:543-568, 2005;

L'OHADA et les perspectives de l'arbitrage en Afrique in « Travaux du Centre René-Jean Dupuy pour le droit et de développement », edited by Philippe Fouchard ; Volume 1 (Paris, France) ; Bruylant, 2000 ;

Update on recent developments and future work by UNCITRAL in the field of international commercial arbitration; Journal of international arbitration, vol. 17, no. 3, June 2000. p. 163-184.

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

International Arbitration Institute (Paris); Comité français de l'arbitrage.

9. Languages

Mother tongue: French;

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):

Full working capacity in English;
Spanish: conversational and reading level;

German and Italian: basic.

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 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"/> European Law |

Other _____

11. What is your main jurisdiction of practice?

As a judge, my jurisdiction of practice was France;

As a law-maker, my practice extended to all jurisdictions that have enacted UNCITRAL standards as part of their legal framework.

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

Qualified in France.

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"/> Power plants |
| <input type="checkbox"/> Aviation | <input type="checkbox"/> Distribution | <input type="checkbox"/> Insurance | <input type="checkbox"/> Private Intern. Law |
| <input type="checkbox"/> Banking & Finance | <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 checked="" type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input type="checkbox"/> Joint ventures | <input checked="" 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 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 checked="" type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Natural resources | |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: 13 October 1957

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>.

Vienna, 4 March 2020.

Date

and

Signature