



ANNUAL REPORT

2018

Vienna International Arbitral Centre

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PREFACE



2018 was a challenging year with many important changes for VIAC.

Alice Fremuth-Wolf resumed her office as new Secretary General as of 1 January 2018, and Elisabeth Vanas-Metzler as her new Deputy. The VIAC-Secretariat was further strengthened by Klaudia Dobosz, as Legal Counsel and case manager.

The new VIAC Arbitration and Mediation Rules entered into force on 1 January 2018. Since then, VIAC is also able to administer purely domestic disputes (which had been reserved to the arbitration institutions of the regional economic chambers before). As of 1 July 2018, the remaining competencies of the arbitration institutions of the regional economic chambers were transferred to VIAC, which is now the only institution under the auspices of the Austrian Federal Economic Chamber (AFEC) administering both domestic and international disputes. This was an important step for us and will foster VIAC's position in our home market and abroad.

In addition, we started to implement the electronic case management system in order to administer all our cases in a paperless manner. To make the amendments and the new rules and their background known to all interested persons, the VIAC Secretariat under the leadership of our Deputy Secretary General, Elisabeth Vanas-Metzler, worked together with 40 authors on the preparation of the 2nd edition of our VIAC Handbook which was presented in German and English early this year in the course of the VAD 2019.

To honour all our efforts, especially in the CEE/SEE region, VIAC was awarded the "GAR Regional Arbitration Award for Arbitral Institution that Impressed". We are very proud of this recognition and will continue to maintain and improve our successful cooperation with parties, party-representatives, arbitrators and mediators. VIAC will keep its fingers on the pulse of time to stay alert of new developments in international arbitration.

We hope you enjoy reading VIAC's 3rd Annual Report.



Dr. Günther Horvath
President of the VIAC-Board

Dr. Alice Fremuth-Wolf
Secretary General of VIAC

HIGHLIGHTS

Introduction of the new VIAC Rules 2018 at the ArbAut Forum

On 19 February, VIAC proudly presented the new VIAC Arbitration and Mediation Rules 2018 at the ArbAut Forum in the Dachgeschoss of the Juridicum. More than 70 attendees listened to the members of the working group on the background information of the new provisions. VIAC organized similar seminars in the course of 2018, especially in the regional capitals Linz, Salzburg, Klagenfurt, Graz, Innsbruck and Feldkirch.

VIAC with more competences after chamber reform

The restructuring process of the Austrian Federal Economic Chamber and the nine regional economic chambers regarding their overlapping competences in the administration of arbitration proceedings has been successfully completed. As of 1 July 2018, all pending domestic cases with one of the regional economic chambers were transferred to VIAC and all new domestic and international cases referring to VIAC or one of the regional chambers will in the future be administered by VIAC only. Detailed transitional provisions were passed by the Enlarged Presiding Committee of the AFEC to ensure a smooth application of the new system. VIAC is convinced that this step will not only increase the efficiency but also extend VIAC's services also to the domestic market.

VIAC received the “GAR Regional Arbitration Award for Arbitral Institution that Impressed”

The awards ceremony took place in Paris on Thursday, 12 April. Günther Horvath, President of VIAC's Board, and Elisabeth Vanas-Metzler, VIAC's Deputy Secretary General, attended the ceremony on behalf of VIAC. VIAC is happy, proud and honored about this acknowledgement for its achievements in the world of international arbitration. GAR's reasoning for granting this award to VIAC: *“The institution had a year of change and innovation in 2017, with new rules, a new secretary general and its first GAR Live event. It also started publishing the names of arbitrators on its tribunals, including an all-female panel.”*



In 2018, VIAC again hosted conferences and seminars in Austria and abroad and engaged in various new initiatives and co-operations. The most important events in 2018 were:

10th Vienna Arbitration Days (VAD)

The Vienna Arbitration Days 2018 took place for the 10th time in a row on 19 and 20 January in the historic “Palais Niederösterreich” in the heart of Vienna. Around 230 international arbitration practitioners from over 30 countries joined this annual conference. The conference started-off with a captivating keynote speech delivered by Maxi Scherer on the topic “How Artificial Intelligence Will Change Dispute Resolution”. Maxi Scherer spoke about how her job might be transformed by artificial intelligence in the years to come, arguing that for some parts of international arbitration “the human factor” will always be needed. For her Keynote at the Vienna Arbitration Days Maxi Scherer has received the GAR award 2018 for best lecture or speech.

Her speech was followed by two panels exploring “New Ways in and New Fields for Arbitration”. The last panel on Day 1 dealt with “Traditional Ways revisited – lessons learned from the past” and thus forged a bridge spanning from the past over the present to the far future where human arbitrators may or may not be replaced by Artificial Intelligence. On the second day these interesting topics were expanded and discussed in the well-proven format of the World-Café on 14 tables.

25th Willem C. Vis International Commercial Arbitration Moot



The 25th edition of the world famous student arbitration competition was hosted in Vienna from 23 to 29 March and turned

Vienna into a buzzing place for arbitration practitioners.

VIAC congratulates the team of National Research University “Higher School of Economics” in Moscow, who won this great competition in 2018 against University of Cambridge.

UNCITRAL/VIAC - Joint Conference

The Joint UNCITRAL/VIAC Conference at the occasion of the 25th Willem C. Vis International Commercial Arbitration Moot took place on 23 March. The conference was held in Tylney Hall Style format. The new UNCITRAL Secretary Anna Joubin-Bret together with Vis Moot co-director Stefan Kröll, answered questions from the audience on “*UNCITRAL and UNCITRAL texts in the area of dispute settlement*”, moderated by VIAC’s Vice-President Nikolaus Pitkowitz.

2nd GAR Live Vienna 2018

The 2nd annual GAR Live Vienna took place on Friday 19 October at the Sky Lounge of AFEC, where a lifetime achievement award was given to Eric Bergsten, the founder of the Vis Moot.



The conference, which attracted over 100 delegates, was co-chaired by Stefan Riegler, head of arbitration at Wolf Theiss and a member of the board of the Austrian Arbitration Association, VIAC’s Secretary General Alice Fremuth-Wolf, and Eliane Fischer of Freshfields Bruckhaus Deringer, who also co-chaired the Young Austrian Arbitration Practitioners (YAAP).

The day opened with a session moderated by Alice Fremuth-Wolf addressing settlement in international arbitration, which included contributions from Davor Babic of the University of Belgrade, Dirk Buschle of the Energy Community, Ulrich Hagel of Bombardier, Allison Nold of Airbus and Julia Zagonek of White & Case.

A “question time” session moderated by Riegler addressed third-party funding and post-M&A disputes, with questions thought-provoking by a panel comprising Stavros Brekoulakis of Queen Mary University of London; Daniel Girsberger of Wenger & Vieli; and Amy Kläsener of Dentons, the editor of the forthcoming GAR Guide to M&A Arbitration.

There followed a lunchtime keynote address by Jörg Risse of Baker & McKenzie entitled, “Poetic prophecy: the future of arbitration”.

An afternoon session moderated by August Reinisch of the University of Vienna addressed the future of investment arbitration in the wake of the European Court of Justice’s ruling in Achmea, with speakers including Dalibor Valincic of Wolf Theiss; Paschalis Paschalidis, a former référendaire at the ECJ; and Jan Schaefer of King & Spalding.

The final session took the form of a debate on the motion that “in all but exceptional cases, document production is a complete waste of time”. Fischer moderated the panel, with Nadia Darwazeh of Clyde & Co and Bart Legum of Dentons arguing for the motion and Anna-Maria Tamminen of Hannes Snellman, Franz Schwarz of Wilmer Cutler Pickering Hale and Dorr arguing against it. They appeared before a panel of judges made up of Wulf Gordian Hauser of Hauser Partners, Patrizia Netal of Knoetzl and Martin Magal of Allen & Overy.



The conference concluded with a lifetime award given to Eric Bergsten in recognition of his contribution to

international arbitration, including during his tenure at UNCITRAL and in his role as founder of the Vis Moot. Prof. Brekoulakis and Prof. Girsberger each delivered a heart-warming laudatio before David Samuels from GAR handed the award over to Prof. Bergsten who was deeply moved.

VIAC & Mediation

VIAC-IBA Mediation and Negotiation Competition "CDRC Viena 2018"

For the 4th time, the cooperation of the VIAC, the International Bar Association (IBA) and the European Law Students' Association (ELSA) enabled young negotiators and mediators to experience a unique opportunity for enhancement of skills, engagement in Consensual Dispute Resolution and pleasure in the form of the Consensual Dispute Resolution Competition (CDRC) from 17 July to 20 July.



33 university teams from all around the world, competing as negotiators and mediators, had the chance to prove their skills while being provided with feedback and support by more than 100 experts, trainers and coaches. This event now for the fourth time provided a platform for more than 200 mediation and negotiation enthusiasts to broaden their minds and

engage in an intercultural exchange over Consensual Dispute Resolution (CDR).

To begin with, the participants were invited to a series of workshops and trainings on negotiation and mediation skills and techniques to provide them with the final touch of expertise for the upcoming competition. As a perfect finale for the this day of exchange, the headline Sponsor, CAM CCBC, sponsored a barbecue as well as - in correlation with this year's case's topic, chocolate – delicious little chocolate cakes from the famous Viennese confectionary Sacher.

As part of the evening program, a typical Viennese dinner was held at Schweizerhaus. The announcement of the semi-finalists as well as the special award ceremony took place at a beautiful reception hosted by the headline Sponsor, Freshfields Bruckhaus Deringer. The final award ceremony was held at a wonderful reception at one of the other Sponsors, KNOETZL.

The Final Award Ceremony honored 1st Prize Negotiation (National Law School of India University, Bangalore), 2nd Prize Negotiation (MGIMO University), 3rd Prize Negotiation (Singapore Management University School of Law), 1st Prize Mediation (SOAS University of London) and 2nd Prize Mediation (Marquette University Law School).

As every year, VIAC is looking forward to meeting new pioneers of Consensual Dispute Resolution at the 5th edition taking place from 6 July to 10 July 2019.

Events organized in Austrian regional capitals

Austrian Regional Roadshows on the "New VIAC Rules 2018"

A series of seminars were held in Austrian regional capitals. The events took place between May and September in Innsbruck, Linz, Salzburg, Feldkirch, Graz and Klagenfurt, where experts in arbitration law from practice, university and VIAC provided interested parties a general overview of arbitration proceedings in Austria. The focus of the Austrian Regional Roadshow was on the New VIAC Rules 2018 and VIAC's competence to administer domestic disputes.

Events with other Arbitration and Mediation Organizations

VIAC enjoys very good relations with universities and other national and international arbitration and mediation organizations and organized various joint seminars and conferences in 2018:

Joint Seminar of the four institutions CAM, SCC, VIAC and DIS

Two fruitful discussions with the topic "Not in the Rules" took place between the representatives of these four renowned arbitration institutions on 17 May in Milan and 18 November in Stockholm. Alice Fremuth-Wolf (VIAC), Stefano Azzali (CAM), Annette Magnusson (SCC) and Francesca Mazza (DIS), engaged in comparative discussions, where they shared insights on how they deal with day-to-day business situations not regulated by

arbitration rules but very often of utmost importance to parties and arbitrators.



Annual Conference with the Russian Arbitration Association

During the Vis Moot 2018, the Russian Arbitration Association, ArbAut and the VIAC invited interested participants to their Annual Conference of the Russian Arbitration Association, which was held on 26 March. The topic was "Arbitration in Russia and Austria: Recent Developments", where VIAC's board members Alexander Petsche held the welcoming speech and Manfred Heider gave a lecture on recent developments in arbitration in Austria. RAA Board Members and Arbitration practitioners provided insights on Changes in the scope of Russian Law on International Commercial Arbitration as well as some thoughts on the Prague Rules of Taking Evidence. The Follow-Up Event took place in Moscow on 26 April, where Alice Fremuth Wolf talked about VIAC's perspective on the necessity of an Arbitration Reform in Russia.

Austrian Business Talk - VIAC in Singapore

On 12 April, VIAC successfully co-organized the Austrian Business Talk in Singapore entitled "Effective Dispute Resolution for Asian Businesses in Central and Eastern Europe". The event was hosted together with Advantage Austria Singapore, and organized in cooperation with Singapore International Arbitration Centre (SIAC) and Singapore International Mediation Centre (SIMC).

Long-standing cooperation between CIETAC and VIAC reaches a new level: Vienna chosen as the seat for the CIETAC European Arbitration Centre Günther Horvath welcomed the CIETAC European Arbitration Centre in Vienna in its Opening Ceremony held at the Palais Hansen Kempinski on September 28. The Opening Ceremony was celebrated also by Lu Pengqi, Vice Chairman of CCPIT and Vice Chairman of CIETAC, His Excellency Ambassador Li Xiaosi, Ambassador, Chinese Embassy in Austria and Zhao Jian, Vice President of CIETAC Arbitration Court. It was followed by "The Belt and Road & Arbitration Forum" and by a visit of the CIETAC/CCPIT delegation at the VIAC offices. CIETAC (China International Economic and Trade Arbitration Commission) was established in 1956 by CCPIT (China Council for the Promotion of International Trade).



VIAC congratulated CIETAC for having chosen Vienna as the seat of its European Arbitration Centre. The reason for this is manifold: Vienna is a major international city in the heart of Europe, it is home to UNCITRAL and to the Willem C. Vis International Commercial Arbitration Moot, as well as seat of the European Energy Community. In addition, Vienna was voted the most livable city in the world by both Economist and Mercer.

The BRI (Belt and Road Initiative) is a big chance for the arbitration institutions to cooperate closer. VIAC is highly interested to get deeply involved in arbitrations arising out the BRI. It stands ready

whenever the parties, e.g. from China and European countries want to agree on a neutral venue and institution. The same applies in all cases where parties from BRI countries seek to arbitrate before a non-involved forum. VIAC considers the BRI as a great opportunity to act as neutral and highly professional Dispute Resolution Institution.

Alice Fremuth-Wolf is a new Council member of IFCAI

Alice Fremuth-Wolf, who was elected IFCAI Council member in October 2017, participated in the IFCAI Council Meeting and General Assembly on 8 October in Rome. This federation comprising most of the arbitral institutions world-wide has an important function in setting the tone and exchanging views and creating best practices amongst institutions.

Cooperation Agreements with Arbitration and Mediation Organizations

Newly Signed Agreements of Cooperation with CIETAC and BAC

AUSTRIA CONNECT China 2018 took place from 7 April to 10 April in Beijing on the occasion of the visit of Austrian Federal President Alexander Van der Bellen who was accompanied by members of the Austrian government and a large business delegation including the President of the Austrian Chamber of Commerce, Christoph Leitl. During this visit, several significant agreements relating to China and Austria were executed.

Among these agreements, VIAC – represented by Nikolaus Pitkowitz – was honored to sign two cooperation agreements. VIAC renewed and expanded its cooperation agreement with the China International Economic and Trade Arbitration Commission (CIETAC), which was signed by Wang Chengjie (Vice

Chairman & Secretary General of CIETAC). VIAC and CIETAC have been cooperating since almost 25 years under a Cooperation Agreement dated June 23, 1994. VIAC further concluded a new cooperation agreement with the Beijing Arbitration Commission (BAC), which was signed by Fuyong Chen (Deputy Secretary General of BAC). VIAC and BAC have had a long-lasting friendship, including the organization of a joint conference in June 2017, as well as other joint events and regular mutual visits. Signing these two agreements at this special occasion was an excellent opportunity to document the friendship and cooperation.

Cooperation Agreement with Kladno (“Czech Moravian Commodity Exchange”)

On 2 May, Manfred Heider and Günther Horvath on behalf of VIAC signed a Cooperation agreement with the Czech Moravian Commodity Exchange Kladno .

MoU with the Energy Community Secretariat’s Dispute Resolution and Negotiation Centre

On 30 May, a memorandum of understanding was concluded between the Energy Community Secretariat’s Dispute Resolution and Negotiation Centre and VIAC.



As of this day, the two institutions will enter into close cooperation, aimed at linking the mediation and negotiation services offered by the Energy Community Secretariat’s Dispute Resolution and Negotiation Centre with the mediation and arbitration services offered by VIAC, exchange of know-how, expertise and best practices, as well as joint organization of

events. These will further promote Vienna as the national and regional dispute resolution hub, in particular for energy-related disputes. The memorandum of understanding was signed by Günther Horvath and Dirk Buschle, the chair of the Energy Community Secretariat's Dispute Resolution and Negotiation Centre.

Cooperation Agreement with GIAC ("Georgian International Arbitration Centre")

On 4 October the Georgian International Arbitration Centre (GIAC) and VIAC signed a cooperation Agreement. On behalf of the Austrian Federal Economic Chamber and the Vienna International Arbitral Centre the agreement was signed by VIAC's Board Member Alexander Petsche, whereas on behalf of the Georgian International Arbitration Centre it was signed by Beka Injia.

Cooperation Agreement with CIMAC

On 19 October, the GAR Live Vienna Conference took place in the Sky Lounge of the Austrian Federal Economic Chamber for the second time. This event provided an excellent opportunity to celebrate the existing friendship and planned cooperation between the Casablanca International Mediation & Arbitration Centre ("CIMAC") and VIAC in a festive setting and to sign a cooperation agreement. CIMAC's Secretary General, Hicham Zegrari, signed the cooperation agreement on behalf of CIMAC, while Nikolaus Pitkowitz signed on behalf of AFEC and VIAC.

Various Speaking Engagements

Disputes for breakfast

On 10 January, Elisabeth Vanas-Metzler was invited to present the new VIAC Rules of Arbitration and Mediation 2018 at the „disputes for breakfast“ series organized by zeiler.partners.

The new DIS Arbitration Rules in International Comparison

On 3 March, Alice Fremuth-Wolf was invited to speak on behalf of VIAC about the new DIS Arbitration Rules, of course mainly focused on the comparison with the new VIAC rules.

Dispute Resolution Forum

On 7 March, Alice Fremuth-Wolf spoke at the Dispute Resolution Forum (DRF) dealing with “Herausforderungen für die moderne Schiedsgerichtsbarkeit“ at the occasion of the new DIS Arbitration Rules. At this occasion, as well, she presented the new Vienna Rules 2018.

Club Español del Arbitraje (CEA)

On 26 March, the Annual Event of the “Capítulo de Alemania y Austria” of the Club Español del Arbitraje and CEA-40 took place during the 25th Willem C. Vis International Commercial Arbitration Moot. Elisabeth Vanas-Metzler was a panelist on the topic “Transparency and Challenge of Arbitrators VIAC’s Perspective.”

YAAP Roundtable in Budapest

The first Budapest Roundtable on May 3rd brought together some 40 young arbitration practitioners from Austria and Hungary discussing arbitration in Austria and Hungary. Elisabeth Vanas-Metzler held a presentation on VIAC in general and the new Vienna Rules in particular.

The Debate

On May 23rd the partners of the International Arbitration Groups of the Best Friends hosted their sixth edition of

the Debate in Paris, where arbitral institutions and experienced arbitrators shared their experience. Alice Fremuth-Wolf was one of six speakers of the panel, discussing how arbitral tribunals operate and typically reach their decisions throughout arbitral proceedings.

10th Unternehmensjuristen-Circle

The "10. Unternehmensjuristen Circle 2018" was held in Stegersbach from 7 June to 8 June under the topic "Rechtsabteilung 4.0 - Less Legal ... More Tech?" Alice Fremuth-Wolf, as well as VIAC's Board Member Alexander Petsche spoke about advantages of arbitration in general and made a short presentation of the new VIAC Rules 2018.

Vienna University of Economics and Business

On 8 November, Legal Counsel Sonja Rogge held a lecture on arbitration at an event organized by the student representatives of the Vienna University of Economics and Business.

Manz Verlag Buchpräsentation

On 12 November, Alice Fremuth-Wolf was invited to give the welcoming speech at the Premises of the Austrian Federal Economic Chamber for the presentation of the new “Handbuch Schiedsrecht”, edited by renowned arbitral experts Dietmar Czernich, Astrid Deixler-Hübner and Martin Schauer.

Women in Arbitration and International Law

On 6 December, Freshfields Bruckhaus Deringer welcomed the participants at their second women’s breakfast, held at the 25 Hours Hotel in Vienna. Alice Fremuth-Wolf was giving an update on the Equal Representation in Arbitration Pledge. Thereafter was a panel, filled with well known, distinguished female practitioners discussed about their personal experiences

including challenges they have encountered.

Young ICCA Skills

On 7 December, the Young ICCA Skills Training Workshop on Efficiency and Costs in International Arbitration took place in Zagreb. The topic of the workshop was "Efficiency and Costs in International Arbitration". The workshop followed the 26th Croatian Arbitration Days. Elisabeth Vanas-Metzler was a panelist on "Minimizing costs in international arbitration: tips and tricks".

Education and Training

Promoting and supporting the education of the next generation of arbitration practitioners has always been a major concern of VIAC. Therefore, VIAC initiated and supported various events and trainings:

Winter School of the Austrian Arbitration Academy

The Austrian Arbitration Academy consists of the Summer School, the Winter School and the Master Classes and offers young practitioners practical insights and hands-on trainings in international arbitration.

The 2nd edition of the Winter School of the Austrian Arbitration Academy organized by the University of Vienna, SHS, VIAC and YAAP took place from 16 January to 20 January at the Dachgeschoss at Juridicum.

The participants were welcomed by Günther Horvath with his Keynote-Speech about "*New Challenges for Arbitration Institutions*". In the following days, numerous renowned experts and practitioners of arbitration law gave the participants of the Winterschool a deep insight into the everyday work of an arbitrator.

On Wednesday evening, the participants visited the Feuerwehr Heurigen in Grinzing where they got to know Austrian cuisine

and also exchanged views outside the university building. Another highlight of the Winter School was the participation in the Vienna Arbitration Days on 19 and 20 January.

CAS Arbitration Program

VIAC, once again, was invited to present its institution and rules as part of the CAS (Certificate of Advanced Studies) in Arbitration program. The event took place at the University of Neuchâtel, Switzerland, on 14 April. The program is organized by the University of Lucerne and the University of Neuchâtel as well as the Swiss Arbitration Academy. The coordinators of the program are Prof. Daniel Girsberger and Prof. Christoph Müller. VIAC was represented by Elisabeth Vanas-Metzler.

Summer School of the Austrian Arbitration Academy

The Summer School of the Austrian Arbitration Academy took place from July 14th to July 28th in Strobl. Alice Fremuth-Wolf gave a lecture on "All you ever wanted to know about Institutional Arbitration".

ELSA Vienna Summer Law School on Dispute Resolution

On 31 July Elisabeth Vanas-Metzler was invited to the 7th ELSA Vienna Summer Law School on Dispute Resolution. She held a lecture on VIAC and the Vienna Rules and the Vienna Mediation Rules 2018.

VIAC – YAAP Master Class Series

VIAC was furthermore developing and expanding its Master Class. VIAC and YAAP aim to hold a regular series of seminars to offer young practitioners practical insights into arbitration. The first three events of this series dealt with the following interesting topics: "Oral Pleading in Practice", "The Great Legal Negotiator" and "Cross Examination in Practice". Participants received a certificate of participation for each Master Class.

Academic visits from Universities and other interested parties at VIAC

VIAC is always happy to welcome interested students and practitioners from all around the world at VIAC, and to present the institution and rules to them. In 2018, such visits included the following and many more:

On 22 February, Elisabeth Vanas-Metzler and Legal Counsel Klaudia Dobosz welcomed a student group of **ELSA Malta** at VIAC.

On 1 March, Alice Fremuth-Wolf welcomed a group of **UNCITRAL interns** at VIAC.

On 12 April, Elisabeth Vanas-Metzler and International Advisory Board Member Christine Mattl welcomed a group of **Russian mediation practitioners** at VIAC.

On 17 May, Elisabeth Vanas-Metzler and Legal Counsel Klaudia Dobosz welcomed a group of scholarship holders of the **ZUSAMMEN:ÖSTERREICH Academy** at VIAC.

On 19 July, Elisabeth Vanas-Metzler welcomed a group of **Australian students of the Summerschool Graz** at VIAC.

On 5 November, Alice Fremuth-Wolf welcomed a group of **university students of Austrian Supreme Court Judge Erich Schwarzenbacher** at VIAC.

WHAT'S NEW?

Data Protection + VIAC List of Practitioners

In accordance with the GDPR, VIAC has implemented the following measures to date:

VIAC's privacy statement can be found on the [website](http://www.viac.eu/en/privacy-statement) <http://www.viac.eu/en/privacy-statement> (English); it refers to the AFEC's general privacy statement at <https://www.wko.at/service/data-privacy-statement.html> (English). All emails and letters from VIAC contain a link to VIAC's privacy statement. In the privacy statement VIAC confirms that the protection of personal data is a special concern and that VIAC therefore processes data exclusively on the basis of the statutory provisions (GDPR, Austrian Data Protection Act, Austrian Telecommunications Act 2003). VIAC processes data in particular for the purpose of the administration of proceedings, but also for the purpose of events or publications, in each case in accordance with the legal provisions.

The newly revised Declaration of Acceptance for Arbitrators now includes two points on data protection: the consent of the arbitrator to the publication of certain data by VIAC (in particular in the form of the "VIAC Arbitral Tribunals" on the website), as well as a special privacy statement with regard to the information requested in the Declaration of Acceptance. The corresponding declarations for tribunal secretaries ("administrative secretaries") and for mediators also contain special privacy statements.

VIAC's website contains lists of practitioners in arbitration and

international mediation and ADR. The questionnaire to be completed in order to appear on this list now also contains the consent for VIAC to process and publish the data requested here.

VIAC regularly sends out newsletters. Since the GDPR came into force, the newsletter is only sent to persons who have given their written consent.

Outgoing and Incoming Members of the Secretariat



On 30 June VIAC's case manager Helga Magrutsch left VIAC after 37 years of activity. She contributed greatly to the quality and continuity of the case management at VIAC with her long-standing experience, supporting not less than 4 Secretary Generals. VIAC-Secretariat will miss her for her calmness, her personality and her broad experience in the field of case management.

A BIG THANK YOU for her loyalty!



VIAC is however very happy to have won **Klaudia Dobosz** as a new Legal Counsel for its team.


Research assistants and trainees at VIAC

VIAC is also very happy that several research assistants and trainees supported

their team in 2018, which were a big help for VIAC with their highly motivated and qualified approach to work.

Strong media presence with LinkedIn account and newsletters

VIAC's media presence continues to be very strong. With regular LinkedIn feeds and 12 newsletter editions in 2018, VIAC keeps its users updated on interesting events and developments.

If you have not done so, please follow us on Linked 

And [subscribe](#) to VIAC's Newsletter!

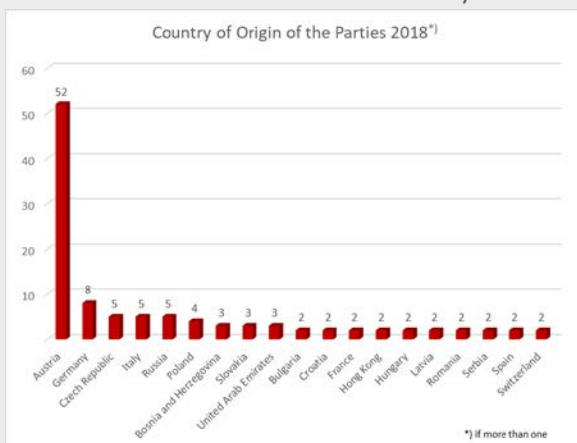
2018 STATISTICS

Number of Cases received in 2018 and aggregated Amount in Dispute

In 2018, VIAC has opened 64 new domestic and international arbitration and mediation cases. Thus, VIAC's caseload rose by 50% compared to 2017 (43 cases). These cases include four domestic arbitrations taken over by VIAC due to its new competence to administer all domestic cases formerly filed with the regional Economic Chambers. As of 31 December 2018, 69 cases were pending with an aggregated amount in dispute of EUR 432 million.

Nationality of Parties

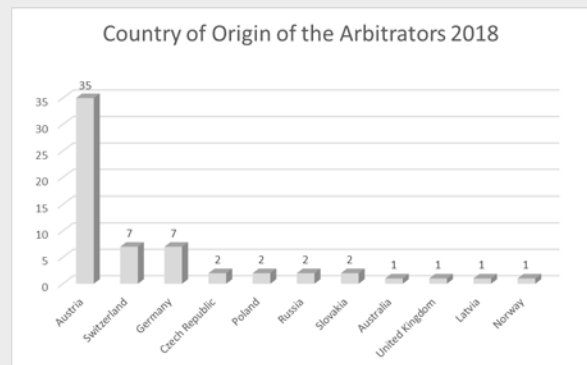
The statistics confirm VIAC's standing as an institution with a particular stronghold in Central and Eastern Europe. The largest group of parties in cases filed in 2018 came from Austria itself (43%). Thus the growth of the number of Austrian parties continued (in 2015 25% of the parties were Austrian and in 2017 it were 32%).



One third of all parties came from the CEE/SEE region (about the same as in 2017 and 40% in 2016). Further cases filed with VIAC involve parties from East Asia and the Middle East.

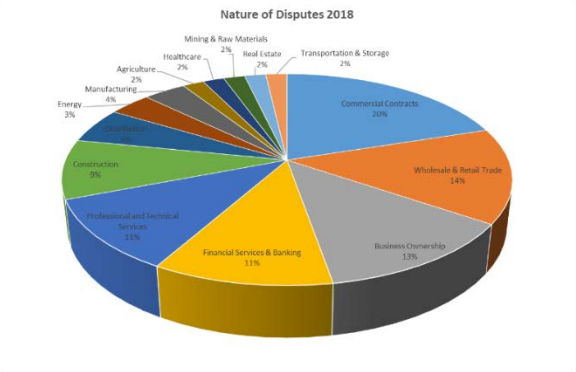
Nationality of Arbitrators

57% of the arbitrators acting in VIAC proceedings have Austrian nationality, 15% were from the CEE/SEE region and 11% from Switzerland and Germany, each.



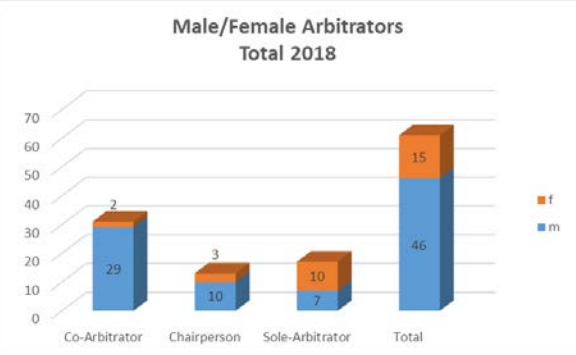
Nature of Disputes

The nature of disputes shows a broad variety. In 2018, commercial contracts (20%) made up the biggest part, followed by wholesale & retail trade (14%), business ownership (13%) and financial services and banking (each 11%).



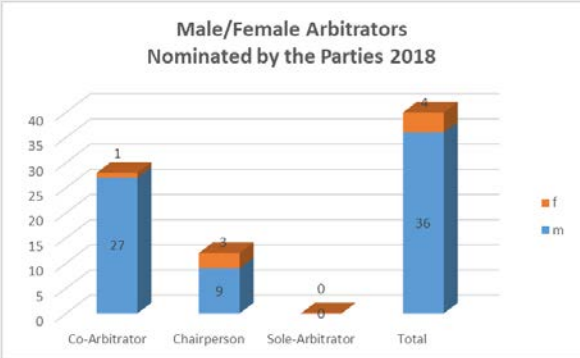
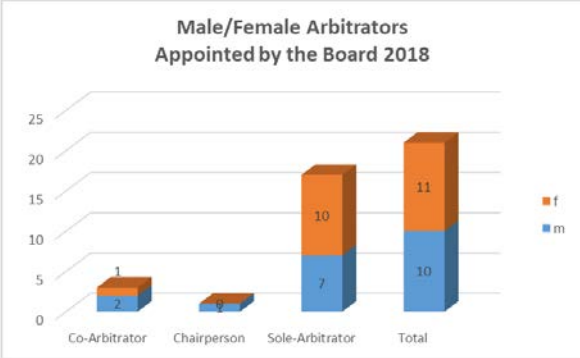
Gender Ratio

Promoting women in arbitration is still an important goal for VIAC. The proportion of women acting as arbitrators in VIAC arbitration proceedings has increased steadily over the last several years. The proportion of women acting as arbitrators in VIAC arbitration proceedings has increased steadily over the last several years. In tribunals of cases received in 2018, the women-ratio reached nearly 25% (2017 it was 17%). However, there is still room for improvement!



A closer look reveals that whereas the percentage of women acting as sole arbitrator increased in relation to 2017 and now even exceeds the number of male sole arbitrators, the percentage of female co-arbitrators declined.

Still, parties and co-arbitrators are much more reluctant to nominate women than VIAC’s Board. Nearly 52,4% of arbitrators appointed by the Board were women, whereas when nominated by the parties or co-arbitrators only 10% (!) were female. This needs to change in the future and by publishing its statistics, VIAC is raising awareness of this inglorious factor.

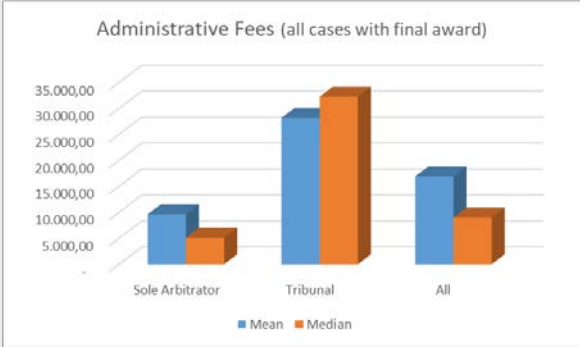
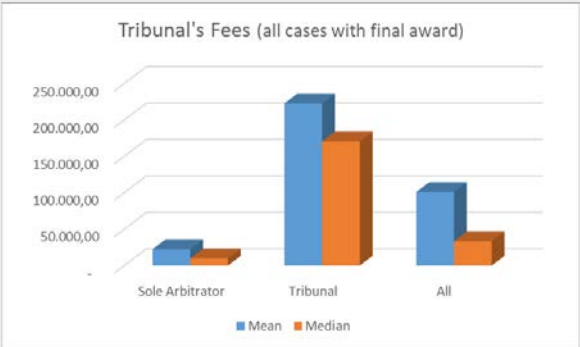


Costs

The arithmetic mean fees for sole arbitrators in cases where a final award was rendered in 2018, were EUR 22,412, whereas those for 3-member-tribunals amounted to EUR 222,639.

VIAC's mean administrative fees amounted to EUR 9,623 in cases handled by sole arbitrators and to EUR 28,175 in cases with tribunals.

There was no significant change in comparison to 2017.



OUTLOOK FOR 2019

During the forthcoming year 2019, VIAC will continue to set milestones and initiatives to promote arbitration in Austria.

Incoming Members of the Secretariat

With the beginning of the year 2019, VIAC is very happy to welcome Ms. Silvia Freisehner and Mr. Stephan Karall in its team, who will be assisting the VIAC-Secretariat as Legal Counsels and case managers. You may find their CVs further below in the section on the VIAC Secretariat.

Handbook VIAC Rules – 2nd Revised Edition

Following the revision of VIAC's rules, a new edition of the Handbook VIAC Rules 2019 – A Practitioner's Guide was issued at the beginning of March. Again, renowned arbitration practitioners, who had been involved in the revision, have shared their reflections and knowledge with the arbitration community. Special thanks go to Katharina Plavec, who was responsible for the final editing of the handbook, and to the VIAC Secretariat's team. You are able to purchase the revised Handbook in the webstore(<https://webshop.wko.at/handbook-vienna-rules-2269.html>) starting on 1 March 2019.

Launch of VIAC's New Website

In the course of 2018, Senior Assistant and Webmaster Susanne Schindler tirelessly and continuously worked on the new website, which was launched in January 2019 in a new, even more service-oriented

layout in German and English with also a mobile version being available now.

Well-proven and accepted functionalities (like the cost-calculator and the list of arbitrators as well as VIAC's arbitral tribunals) are maintained. Please come and visit VIAC's website at <http://www.viac.eu!>

VIAC SECRETARIAT



Alice Fremuth-Wolf, LL.M. (LSE)
Secretary General

Alice Fremuth-Wolf is Secretary General of VIAC since January 2018. She joined the

VIAC Secretariat in 2012 as Deputy SG. Having studied law at Vienna University (Mag. iur. 1995, Dr. iur. 2002), Utrecht University (1994) and the London School of Economics and Political Science (LL.M. 1998), she served as assistant professor at the Department of Civil Procedure Law at the Law Faculty of Vienna University. Before opening her own practice in 2004, she worked with major Austrian law firms and acted as party representative and arbitrator in international commercial arbitration cases. Alice Fremuth-Wolf has authored articles and books on arbitration and currently also serves as a lecturer at the Law Faculty of Vienna University, where she was coach of the Vienna team for the Willem C. Vis International Commercial Arbitration Moot from 2004-2009. She is a trained mediator and co-organizer of the IBA-VIAC CDRC. She speaks German, English, French and Spanish.



Elisabeth Vanas-Metzler, LL.M. (Harvard)
Deputy Secretary General

Elisabeth Vanas-Metzler is Deputy

Secretary General of VIAC since January 2018. She joined the VIAC Secretariat in October 2017. Elisabeth Vanas-Metzler studied law at Vienna University (Mag. iur. 2003, Dr. iur. 2008), Geneva University (2002) and Harvard Law School (LL.M. 2007). She served as research assistant at the Department for Business and Commercial Law at the Law Faculty of Vienna University. Later, she worked with renowned international law firms in Vienna and Bogotá (Colombia), first as an associate and then as an attorney-at-law. Her practice focused on dispute resolution and in particular international commercial arbitration, including experience as a party representative, administrative secretary and arbitrator. Elisabeth Vanas-Metzler has been very active in this field, including the Willem C. Vis Moot, publications, lectures and memberships. She speaks German, English and Spanish.



Klaudia Dobosz
Legal Counsel

Klaudia Dobosz is part of the VIAC-team since January 2018 and assists the VIAC-Secretariat as Legal Counsel and case manager. She studied law at Vienna University. After finishing her legal practice at Austrian courts, she worked as associate at a renowned Viennese law firm and assisted in preparing a well-known commentary on the Austrian Arbitration law. She speaks German, English and Polish.



Silvia Freisehner
Legal Counsel

Silvia Freisehner is part of the VIAC-Team since January 2019 and assists the VIAC Secretariat as legal counsel and case manager. Ms. Freisehner studied law and Slavic studies and completed her legal practice at Austrian courts. She speaks German, English, Czech, Russian and Spanish.



Stephan Karall
Legal Counsel

Stephan Karall supports the Secretariat since January 2019 as legal counsel and case manager. He studied law at Vienna University. He already gained experience in arbitration and corporate law during his studies working at a renowned Viennese law firm. After finishing his studies and legal practice at Austrian Courts he worked as an associate for law firms in Austria. He speaks German, English and Spanish.



Sonja Rogge
former Legal Counsel

Sonja Rogge was part of the VIAC-team since the end of 2013 until March 2019 and assisted the Secretariat as Legal Counsel and case manager for arbitration and mediation cases. She studied law at Vienna University from 2009 to 2012 (Mag. iur.). After she finished her legal practice at Austrian courts, she returned to the Austrian Federal Economic Chamber, where she had already worked since 2002 in various positions. She was part of the working groups, which developed the Vienna Mediation Rules 2016 and accompanied the revision of the Vienna Rules 2018. She prepared VIAC's Board-Meetings, was responsible for Social Media and all technical issues, in particular the project for an electronic case management. She also worked on in-depth analyses of VIAC's statistical data. Sonja Rogge speaks German, English and French. Sonja has joined the AFEC's control office as of March 2019. VIAC wishes her all the best and good luck!



Christa Eybl
Case Manager

Christa Eybl supports the Secretariat since spring 2013. Previously she worked for the metallurgical industry in Linz and Italy and the USA. She is also VIAC's event coordinator organizing conferences and seminars. She speaks German, English, Italian and French.



Susanne Schindler
*Senior Assistant and
Webmaster*

Susanne Schindler supports the VIAC-team since the beginning of 2013. She is in charge of the VIAC website and newsletter as well as all administrative matters, business trips, and internal accounting. She speaks German and English.

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