

VIAC – Questionnaire for Arbitrators

1. Name: ILIAS BANTEKAS

2. Citizenship: GREEK

3. Contact information:

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4. **Current position:** Professor of International Law, Hamad bin Khalifa University (Qatar Foundation), College of Law and Adjunct Professor of Law, Georgetown University, Edmund A Walsh School of Foreign Service.

5. **Education:** LLB (University of Athens), LLM and PhD (University of Liverpool), Dip Theo (University of Cambridge), FCI Arb

4. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules? 16, of which 10 international and 6 domestic, all under UNCITRAL Arbitration Rules
- How often have you acted as Chairman? Twice
- How often have you acted as Sole Arbitrator? 5 times
- How often have you acted as Co-Arbitrator? 9 times
- How often have you acted as Counsel? I have worked on cases reaching arbitration but have never appeared as counsel before a tribunal
- How often have you acted in a different function (e.g. Administrative Secretary)? Never

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

I provide key books, which total 18, and articles focusing only on arbitration. I have authored more than 150 articles in peer reviewed journals.

Books

- 1 *Introduction to International Arbitration*
Cambridge University Press (2015), pp 350

- 2 *Commentary on the UNCITRAL Model Law on International Commercial Arbitration*
(with P Ortolani et al) [Bantekas is author of 13 chapters]
Cambridge University Press (2020), pp 1400
- 3 *International Law Concentrate*
(with E Papastavridis, 4th edition, 2019, Oxford University Press) pp 220
- 4 *International Human Rights Law and Practice*
(with L Oette, 3rd edition, 2020, Cambridge University Press) pp 900
- 5 *Sovereign Debt and Human Rights*
(with C Lumina, Oxford University Press, 2018)
- 6 *Cambridge Companion to Business and Human Rights*
(with MA Stein, forthcoming Cambridge University Press, 2021)
- 7 *Islamic Contract Law*
(with I Ullah, J Ercanbrack, forthcoming Oxford University Press 2022)

Articles and Chapters

- 1 Some Aspects of Enforcement of Foreign Arbitral Awards in the United Kingdom: Financial Fora, Public Policy and Jus Cogens
I. Greshnikov (ed.), *International Commercial Arbitration* (IUS, 2002), pp 202-218
- 2 International Oil and Gas Dispute Settlement and its application to Kazakhstan
I. Bantekas, et al (ed.), *Oil and Gas Law in Kazakhstan* (Kluwer, 2004), pp 225-249
- 3 The 2003 Kazakh Investments Law: Its Impact and Compatibility with International Foreign Investment Law
In I. Bantekas, et al (ed.), *Oil and Gas Law in Kazakhstan* (2004), pp 171-187
- 4 The Private Dimension of the International Customary Nature of Commercial Arbitration
25 *Journal of International Arbitration* (2008), pp 449-461
- 5 The Foundations of Arbitrability in International Commercial Arbitration
27 *Australian Yearbook of International Law* (2008), pp 193-223
- 6 The Mutual Agreement Procedure and Arbitration of Double Taxation Disputes
1 *Colombian Yearbook of International Law* (2008), pp 182-204
- 7 Saudi Law as Lex Arbitri: Evaluation of Saudi Arbitration Law and Judicial Practice
(with A Baamir)
25 *Arbitration International* (2009), pp 239-269
- 8 Finance, Banking and Arbitrability
L Mistelis, S Brekoulakis (eds.), *Arbitrability: International and Comparative Perspectives* (Kluwer, 2009), pp 293-315

- 9 Arbitration & Problems Associated with Statutes of Limitation in Kazakhstan & Uzbekistan
Oil, Gas, Energy Law (OGEL) Intelligence (March 2010, 6,000 words)
- 10 The Proper Law of the Arbitration Clause: A Challenge to the Prevailing Orthodoxy
27 Journal of International Arbitration (2010), pp 1-9
- 11 Nullity and Jurisdictional Excess as Grounds for Non-Enforcement of Foreign Awards in Bahrain and the UAE
30 Journal of International Arbitration (2013), pp 281-300
- 12 The Effect of Public Policy on the Enforcement of Foreign Arbitral Awards in Bahrain and the UAE
30 International Arbitration Law Review (2013), pp 283-301
- 13 The Treatment of Taxation as Expropriation in Investor-State Arbitration (with A Lazem)
31 Arbitration International (2015), pp 1-41
- 14 Legal Instruments and Practice of Arbitration in the EU: Part 1 (with T Cole and P Ortolani)
EC Commission, Internal Policies DG,
[http://www.europarl.europa.eu/RegData/etudes/STUD/2015/509988/IPOL_STU\(2015\)509988_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/509988/IPOL_STU(2015)509988_EN.pdf), (2015), pp 308 + 1000pp annexes, questionnaires. Reprinted in *Transnational Dispute Management* (20 February 2015)
- 15 Legal Instruments and Practice of Arbitration in the EU: Part 2 (with T Cole and P Ortolani)
(2015) 6 *Transnational Dispute Management*, available at: www.transnational-dispute-management.com/article.asp?key=2281
- 16 Lights and Shadows of WTO-Inspired International Court System of Investor-State Dispute Settlement (with F Fontaneli et al) (2017) 1 *European Investment Law and Arbitration Review* pp 191- 263
- 17 The Psychological and Social Anthropology of Arbitration
T Cole (ed.), *The Roles of Psychology in International Arbitration* (Kluwer, 2017), chapter 15
- 18 Inter-State Tax Arbitration in International Law (2017) 8 *Journal of International Dispute Settlement* 507-534
- 19 A Human Rights-Based Arbitral Tribunal for Sovereign Debt
(2018) 29 *American Review of International Arbitration*, pp 52-80,
- 20 A Sovereign Debt Arbitral Mechanism from a Human Rights Perspective in I Bantekas, C Lumina (eds), *Sovereign Debt and International Human Rights* (Oxford University Press, 2018), pp 458-477
- 21 Receipt of Written Communications in International Commercial Arbitration, forthcoming in (2020) 31 *American Review of International Arbitration*, approx 12,000 words

- 22 Σχόλιο στην απόφαση του ΤρΕφΑθ 3248/2019 [Comment on judgment of Greek Court of Appeal concerning international commercial arbitration] [2020] Διαιτησία [Arbitration] 196-199
- 23 Equal Treatment of Parties in International Commercial Arbitration (2020) International & Comparative Law Quarterly
- 24 Party Autonomy and Default Rules regarding the Choice of Number of Arbitrators *Cardozo Journal of Conflict Resolution* (2020), 5,500 words
- 25 Hybrid Dispute Resolution Forums: Lessons from International Criminal Tribunals, forthcoming in G Dimitropoulos and S Brekoulakis (eds), *The Promise of Hybrid Dispute Resolution Forums* (Cambridge University Press, 2021) approx 12,000 words
- 26 The Public Interest Perspective of f International Courts and Tribunals Forthcoming in (2021) 38 Arizona Journal of International & Comparative Law
- 27 The Rise of International Commercial Courts: The Astana International Financial Centre Court (13,000 words) Forthcoming in (2021) Pace International Law Review
- 28 Islamic Finance Arbitration Forthcoming in (2021) OGEL, 4,500 words

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

- London Court of International Arbitration (LCIA), roster of arbitrators
- Bucharest International Arbitration Court (BIAC), roster of arbitrators
- Qatar International Center for Conciliation and Arbitration (QICCA), roster of arbitrators
- Energy Community (EU), roster of arbitrators
- EODID (Greece), roster of arbitrators
- Chartered Institute of Arbitrators, Fellow

7. Languages

Mother tongue: Greek

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 (fluent)

8. In which legal systems have you trained?

- Civil LawX Common LawX
- Austrian Law Hungarian Law Swiss Law
- Czech Law Polish Law Ukrainian Law
- German Law Slovakian Law European Law

Other: I WAS TRAINED IN THE CIVIL LAW (GREECE) BUT HAVE TAUGHT AND PRACTICED MOSTLY COMMON LAW SINCE 1998

9. What is your main jurisdiction of practice?

I WAS A MEMBER OF THE ATHENS BAR FROM 1997-2018, UNTIL I RESIGNED. DESPITE SOME PRACTICE IN GREECE, FROM 1998 TO PRESENT MY CHIEF WORK HAS BEEN AS AN ACADEMIC, WHILE CONCURRENTLY ACTING AS ARBITRATOR, OR AS CONSULTANT TO INTERNATIONAL ORGANISATIONS, STATES AND THE PROVISION OF EXPERT ADVICE IN LITIGATION PROCEEDINGS.

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

GREECE (from 1997-2018)

11. 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) x Public Intern. Law
- Capital markets Employment x ISDS/ Foreign invest. Real estate
- CISG Energy Joint ventures Shipping
- Civil fraud disputes Engineering Licensing x Sports
- x 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
- x Contract law Infrastructure Natural resources
- Other _____

12. Date of birth: 11 August 1970

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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>.

25 June 2020

Date