

# VIAC – Questionnaire for Arbitrators

**1. Name:** José Maria BENEYTO

**2. Citizenship:** Spanish

**3. Contact information:**

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**4. Current position:**

Visiting Professor of Law, Harvard Law School

Professor of Public International Law, European Law and International Relations

Director of the Real Institute for European Studies, University San Pablo CEU, Madrid

Founding Partner, JM Beneyto & Asociados ([www.jmbeneytoyasociados.com](http://www.jmbeneytoyasociados.com))

President, Institute Governance and Society ([www.gobernanzaysociedad.com](http://www.gobernanzaysociedad.com))

**5. Education:**

J.D. University of Navarre, Spain

Ll. M. Harvard School

Ph. D. in Law University of Münster (Germany) and Ph. D. in Philosophy and History

**6. Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?  
More than 30.
- How often have you acted as Chairman?  
11
- How often have you acted as Sole Arbitrator?  
15
- How often have you acted as Co-Arbitrator?  
9
- How often have you acted as Counsel?  
25
- 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):**

He is Director of the Journal “Arbitraje. Revista de Arbitraje Comercial y de Inversiones”. A leading arbitration publication in Spain and Latin America, which is published three times a year.

<https://arbitraje-raci.com/consejo-editorial/>

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

Director of the Centre for International Arbitration, Mediation and Negotiation (CIAMEN), a leading Spanish academic institution on Arbitration & ADR based in Madrid.

<http://www.idee.ceu.es/en/research/specialized-centers/the-international-centre-for-arbitration-ciamen>

## 9. Languages

Mother tongue: Spanish

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, German and French.

## 10. In which legal systems have you trained?

### Civil Law

Austrian Law

Czech Law

German Law

### Common Law

Hungarian Law

Polish Law

Slovakian Law

Swiss Law

Ukrainian Law

European Law

Other: United States, Brussels, Spain and Latin American Countries.

## 11. What is your main jurisdiction of practice?

Public International Law and European Law

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

Spain, New York.

## 13. Special expertise or specializations (please list a maximum of five):

Antitrust/Unfair competition

Aviation

Banking & Finance

Capital markets

CISG

Civil fraud disputes

Commercial disp. / transactions

Commodity market

Company/Corporate/M&A

Construction

Contract law

Other: Commercial contracts; Oil, gas and energy; Investment disputes.

Damages

Distribution

Domain name disputes

Employment

Energy

Engineering

Entertainment

Healthcare & Pharmac.

Hotel/Gastro./Tour.

Inform. technology (IT)

Infrastructure

Insolvency

Insurance

Intellect. property (IP)

ISDS/ Foreign invest.

Joint ventures

Licensing

Life sciences

Maritime arbitration

Media

Mining

Natural resources

Power plants

Private Intern. Law

Public Intern. Law

Real estate

Shipping

Sports

State/Public contracts

Technology

Telecommunication

Transport

## 14. Date of birth: 24.10.1956

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

Date and signature: 04/05/2020.



## **Prof. Dr. José María Beneyto**

José María Beneyto is an international lawyer and academic, specialized in International Arbitration, having acted as counselor, sole arbitrator, party-appointed arbitrator or Chairman of arbitral tribunals in cases involving major corporations in domestic and international procedures. He is also called upon to appear as expert witness on arbitration law issues in arbitration proceedings or enforcement actions before domestic courts.

Professor Beneyto is the editor in chief of the journal “Arbitraje. Revista de Arbitraje Comercial y de Inversiones”, which is being published since 2008 three times a year. He is the Executive Director of the Centre for International Arbitration, Mediation and Negotiation (CIAMEN), a leading Spanish academic institution on ADR based in Madrid, and he is also the Chairman of the Program of the Chartered Institute of Arbitrators in Madrid. His current interests are in commercial arbitration, investment arbitration and State arbitration. He is Professor of Public International Law, International Business Law and International Relations at the University CEU San Pablo in Madrid; a Jean Monnet Chair ad personam in European Law and the Director of the Institute on European Studies, as well as a Visiting Professor of Law at Harvard Law School, Harvard University.

Mr. Beneyto is on the panel of the major international arbitration institutions and has written a number of books and articles on international arbitration. Mr. Beneyto is a member of the ICC Commission on Arbitration and ADR and has been member of several task forces on international issues established by the ICC. He has also participated in the revision of several other institutional arbitration rules.

Over his 28 years of legal professional experience he has previously practiced in the areas of Corporate law, Mergers and Acquisitions, Competition law and European Union law. Throughout his professional career he has counseled more than one hundred larger acquisitions and restructuring of companies in many different sectors (transportation, energy, telecommunications, defense, infrastructure and construction, media, health, distribution, heavy equipment, financial services). Areas of work included joint ventures, corporate and commercial law and corporate governance. He has been a member of the Board of several multinational companies.

In the area of Competition law and EU law, he has represented multinationals and Spanish undertakings in cases before the European Commission, the European Court of Justice, the Spanish Competition authorities and other national antitrust authorities. Among other publications in the fields of European law, he is the editor of a 2-volume treatise on Competition law and of a 12-volume treatise on European law and policies. He has been recognized as a leading lawyer in his areas of expertise by professional publications.

Professor Beneyto has been an adviser to the European Parliament, the European Commission, the UN and a number of foreign Governments. He was an adviser to the Prime Minister of Spain, and from 2011 to 2016 he was a member of the Spanish Parliament, Spokesman for Foreign Affairs, and Vice Chair of the Parliamentary Assembly of the Council of Europe.

### **Education:**

Law Degree from the University of Madrid (Spain). Master in Law (LL.M.) from Harvard University (1990). Ph. D. in Law (1982) and Ph. D. in History and Philosophy (1986) from the University of Münster (Germany). Degree in Business Administration from IESE Business School (PADE).

### **Academic Appointments:**

- Visiting Professor of Law, at Harvard Law School, Cambridge/Ma.
- Professor of Public International Law, University San Pablo CEU, Madrid.
- Jean Monnet Chair in European Law.

### **Professional Experience:**

- Associate with US law firm (Cleary, Gottlieb, Steen & Hamilton – New York and Brussels, 1990-1992). Of Counsel, and then Partner at Gómez-Acebo & Pombo since 1992.
- Civil Servant with the European Communities from 1986 to 1988, and from 1994 to 1996, working in the areas of European and International Law, Economic Governance, External Trade Relations.
- Visiting Professor at the Universities of Bonn, Münster, Maryland and Harvard. 2017 Pierre Keller Visiting Professor at the Harvard Kennedy School of Government.
- Chairman of the Centre on Competition Policy and Regulation, and a corresponding member of the Spanish Royal Academy of Jurisprudence and Legislation. Member of the Advisory Committee of the Institute for Global Law and Policy at Harvard Law School.

### **Membership of professional bodies and associations:**

- American Society of International Law, European Society of International Law, Deutsche Institution für Schiedsgerichtsbarkeit, Club Español del Arbitraje, Swiss Arbitration Association, Chartered Institute of Arbitration.
- Member of the Board of the International Academy of Management. Member of the Board of the Euro-America Foundation.

### **Languages:**

Spoken, read and written: Spanish, German, English, French, Portuguese.  
Intermediate/basic knowledge: Russian, Italian, Dutch, Chinese.

### **Books edited and co-authored (selected):**

- 1)** J.M. Beneyto / J.C. Fernández-Rozas / I. Rodríguez-Roblero / G. Stampa / E. Verdera “Commentary on 60 years of Spanish Jurisprudence on Arbitration”, Thomson Reuters Aranzadi, Madrid, 2013.
- 2)** J.M. Beneyto (dir.): “Treatise on Law and Policies of the European Union”, 12 vols. Thomson Reuters Aranzadi, Madrid, 2009-2019.
- 3)** J.M. Beneyto / E. Fanjul (dirs.): “The role of Spain in the China’s new Silk Road”, Thomson Reuters Aranzadi, Madrid, 2018.
- 4)** J.M. Beneyto (dir.): “Treatise on Competition Law. European Union and Spain”, 2 vols., Bosch, Barcelona, 2017.
- 5)** J.M. Beneyto / J. Maíllo (ed.): “The Fight against Hard Core Cartels in Europe”, Bruylant, Bruselas, 2016.
- 6)** L.M. Hinojosa-Martínez / J. M. Beneyto (eds.): “European Banking Union. The New Regime”, Wolters Kluwer, Aalphen aan den Rijn, 2015.
- 7)** J.M. Beneyto / J. Maíllo (eds.): “Fostering Growth in Europe: Reinforcing the internal market”, CEU Ediciones, Madrid, 2014.
- 8)** J.M. Beneyto / D. Kennedy (eds.): “New Approaches to International Law - The European and the American Experiences”, TMC Asser Press/Springer, The Hague, 2012.
- 9)** J.F. Bellis / J.M. Beneyto (eds.): “Reviewing Vertical Restraints in Europe”, Bruylant, Bruselas, 2012.
- 10)** J.M. Beneyto / R. Largo (dirs.): “Mergers and Aquisitions”, Bosch, Barcelona, 2011.
- 11)** J.M. Beneyto / R. Largo (dirs.): “Mergers and Acquisitions. Public Offerings (OPAs)” Bosch, Barcelona, 2009.
- 12)** J.M. Beneyto / J. Maíllo (dirs.): “The New Spanish Competition Act”, Bosch, Barcelona, 2009.
- 13)** J.M. Beneyto / Ch. Powell (dirs.): “European Union and Rusia. ¿Competition or Cooperation?”, Library Nueva, Madrid, 2009.
- 14)** J.M. Beneyto (dir.): “Fifty Years of the European Union Construction. Great achievements from the past and challenges for the future”, Library Nueva, Madrid, 2008.
- 15)** J.M. Beneyto (ed.): “Treatise on Foundations”, 2 vols., Bosch, Barcelona, 2007.
- 16)** V. López-Ibor / J.M. Beneyto (dirs.): “Energy Acts; A Commentary”, 2 vols., Thomson Reuters Aranzadi, Madrid, 2006.
- 17)** J.M. Beneyto (dir.): “Antitrust Law. Reform to the European and Spanish framework. Análisis sectorial.” Dykinson, Madrid, 2005.
- 18)** J.M. Beneyto / A. Martínez Echevarría (dirs.): “The Single Financial Market in the European Union. The Stock Markets”, Marcial Pons, Barcelona, 2005.

**19)** J.M. Beneyto / Ingolf Pernice (dirs.): “The Government of Europe: Which Institutional Design for the European Union?” European Constitutional Law Network-Series, vol. 3, Baden-Baden, 2004.

**20)** J.M. Beneyto (dir.): “Competition Regulation on Telecommunications”, Dykinson, Madrid, 2003.

**21)** J.M. Beneyto (dir.): “The New European and Spanish Competition Law. Decentralization, economic approach and international cooperation”, Bosch, Madrid, 2002.

**22)** “The World’s Largest Market. A Business Guide to Europe 1992” (Jointly with Robert Williams y Mark Teagan), Amacom, Nueva York, 1990.

**23)** “The European Communities’ Single Market and the East European Countries”, Harvard Law School, Cambridge/MA., 1990.

**24)** Over 100 articles on International Business law and European law and policies.

Madrid, May 2019.