

VIAC – Questionnaire for Arbitrators

1. **Name:** Cristina Ioana FLORESCU

2. **Citizenship:** Romanian

3. **Contact information:**

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4. **Current position:**

Academic - University Associate Professor, Spiru Haret University, Faculty of Legal and Administrative Sciences, Bucharest; Bucharest University, Faculty of Law, Specialized Master in International Arbitration (in English language); Romanian-American University, Faculty of Law, Specialized Master in Business law, National and International Arbitration

Lawyer - Attorney of Law, Bucharest Bar

International Arbitrator - ICC, VIAC, Romanian Court of International Commercial Arbitration (Bucharest and Brasov), Moldavian Court of Arbitration, SCIA (Shenzhen Court of International Arbitration), China

5. **Education:**

PhD in arbitration, commercial law, with the paper „Investirea instanței de arbitraj comercial” (Constitution of the Arbitral Tribunal in Commercial Arbitration)

- 1985-1989 - “Mihai Viteazul” High School, Bucharest, scientific profile (math./phys./chem.), Graduate 1989
- 1989-1994 - Bucharest University, Faculty of Mathematics / Computer Science, B.Sc. 1994, specializing in superior algebra
- 1997-2000 - Bucharest Ecology University, Faculty of Law, Licentiate 2000 completed with average mark 9,43 at Bucharest University, Faculty of Law. The period of instruction was 3 years because I have achieved the second and the third years of the Faculty in one year of instruction
- June 2004 - Training course for mediators, The Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania located in Bucharest
- October 2005-June 2011 – PhD program of international commercial law at the Economical Sciences Academy of Bucharest; Finalized with the PhD thesis in commercial arbitration
- July-September 2006 - internship training and research work in the Court of Arbitration ICC (International Court of Arbitration of International Chamber of Commerce) located at Paris - depth knowledge of the current status of the existing significant bibliography in the field of arbitration (my field of PhD research). The internship was performed under the guidance and leadership of the Department of Secretariat of the Court of Arbitration and consisted of administration and secretarial work under the aegis of the Court. Participation in the weekly meeting of all members of the Secretariat to discuss current issues and participation of each team monthly meeting of the Court of Arbitration members, which are arbitrators nominated by national courts of arbitration which have representatives to ICC
- 27 February-30 March 2007 - PhD Research Training International, a research internship in the doctoral research program organized by Central European University (CEU) in Budapest, Hungary,

with the approval and under the guidance of Prof. Dr. Tibor Varady, special laboratory training in Legal Sciences PhD.

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
Domestic – more than 35 cases (Romanian Rules), International – 7 cases (6 ICC, 1 VIAC)
- How often have you acted as Chairman?
Domestic – 3 cases (Romanian Rules)
- How often have you acted as Sole Arbitrator?
Domestic – 1 case (Romanian Rules), International - 2 ICC cases
- How often have you acted as Co-Arbitrator?
Domestic – more than 30 cases (Romanian Rules), International – 5 cases (4 ICC, 1 VIAC)
- How often have you acted as Counsel?
5 cases (3 domestic and 2 international), more than 10 years ago
- How often have you acted in a different function (e.g. Administrative Secretary)?
More than 10 ICC cases

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

- 14 October 2009 – Participation as lecturer rapporteur on the subject “Mediation in banking field”, at the Conference at the Romanian Banking Institute, “Theory and practice in banking legislation – Alternative dispute resolution between banks and debtors clients”
- 18-20 March 2010 – Participation at Verona International Conference „Conflict of Laws in International Commercial Arbitration”, at the Verona University School of Law, NYU School of Law Center for Transnational Litigation and Commercial Law, NCTM Studio legale Associato
- 4-6 November 2011 – Participation as international arbitrator (member of the jury) at Skadden, Arps FDI Moot (Foreign Direct Investment International Arbitration Moot, Center for International Legal Studies), held at King's College London
- 19 January 2012 – Participation to the international Conference „Freezing Those Costs: A Swedish-Romanian Dialogue on Controlling Arbitration Costs”, held at Athenee Hilton Palace, Bucharest
- 3 February 2012 – Launching my own book „Arbitrajul comercial. Convenția arbitrală și tribunalul arbitral (Commercial Arbitration. Arbitral Agreement and Arbitral Tribunal)” at the Conference „Arbitration of private law in the European context” organized by the European Law Studies Centre of the Juridical Research Institute of the Romanian Academy
- Participation as co-organizer of the International Conference „VIAC Roadshow Bucharest, 2014 – The New Vienna Rules – quality arbitration at your doorstep”, organized by VIAC with the Romanian Arbitration Court support on 23 January 2014, with the lecture „Changes and implications of the new Romanian regulation on organizing the arbitration process”
- 2014, 2015, 2016 – Participation to the international conference *Annual Experts Meeting on International Arbitration*, organized by ICC Paris
- 29 June – 16 July 2015 – Participation on behalf of Romanian Court of Arbitration as IFCAI (International Federation of Commercial Arbitration Institutions) member to the 48th UNCITRAL Session (<http://www.uncitral.org/uncitral/en/commission/sessions/48th.html>)
- 24 November 2015 - Participation to the International Conference *Arbitration in Eastern Europe. Trends and Developments* organized by the Romanian Court of Arbitration (<http://ccir.ro/event/arbitration-in-eastern-europe-trends-and-developments/>), with the paper „Integrity and Fairness in the Arbitral Proceedings”.

- [8 December 2015](#) and [7 December 2016](#) – Participation as speaker to the national conference „Arbitrajul de drept privat în context european“, București, organized by Universitatea Creștină Dimitrie Cantemir and Romanian Academy.
- 16 February 2017 – Participation as speaker and organizer to the national conference „[Probleme dificile de arbitraj](#)“, organized by CCIR and juridice.ro.
- Equal Representation in Arbitration, <http://ssl.freshfields.com/ERA/Signatories%20Table.pdf>
- Member of the Working Group in drafting and launching the Prague Rules (https://praguerules.com/working_group/)
- Scientific (peer) reviewer *Juridical Tribune – Tribuna Juridica* (www.tribunajuridica.eu), published by the Law Dept. Of the Economical Sciences Academy, Bucharest and The Juridical and Administrative Science Society (www.adjuris.ro), being the only Romanian law journal indexed in Thomson Reuters - Emerging Sources Citation Index. Also Scientific reviewer for the international Conference Perspectives of Business Law In the Third Millennium (www.businesslawconference.ro), organized by the same institutions, being indexed in Conference Proceedings Citation Index, Thomson Reuters (Clarivate Analytics)
- Participation and speaker to numerous scientific sessions and seminars/webinars organized by various institutions, law faculties, ICC Young Arbitrators and other national and international conferences; Participations to all ICC arbitration conferences held in Bucharest (2009-2019)
- Publications in several specialized journals, reviews, collections of essays, books, courses in commercial law, mediation and arbitration field (more than 50 only in arbitration):
 - 2015 – *Excessive Judicialization, an Obstacle to Efficiency in Arbitration* published in CYArb (Czech & Central European) Yearbook of Arbitration, vol. V, Interaction Of Arbitration and Courts, Ed. JurisNet, LLC (USA) 2015, p. 87-114.
 - 2015 – *Towards achieving efficiency in international arbitration*, published in Austrian Yearbook on International Arbitration 2015, Ed. C.H.Beck, ISBN 978-3-406-676999-4; Stampfli Verlag, ISBN 978-3-7272-7752-8; Manz, ISBN 978-3-214-00775-1; p. 51-71.
 - *Arbitral Tribunal Power to Disqualify Unethical Counsel*, participation to the international conference ICESBA 2015 “Development for a better life”, organized by Spiru Haret University on 20, 21 November 2015, published in the volume *Procedia of Economics and Business Administration*, Bucharest 2015, p. 74-81
 - *The Contractual Legal Nature of the Relationship Between the Major Participants in Arbitration*, CYArb (Czech & Central European) Yearbook of Arbitration, vol. VI, Rights and Duties of Parties in Arbitration, Ed. Lex Lata BV, The Hague, The Netherlands, 2016, p. 69-99
 - *Introduction in counsel ethics issues in international arbitration*, RRDA 1/2016, p. 106-118
 - *Soft law Instruments on Conflict of Interests in International Arbitration*, volume of the international conference “Entry into force of the New Codes. A First Evaluation”, Universul Juridic Publishing, 2016, p. 293-301
 - *Promoting diversity to efficiently manage arbitration*, CORPORATE DISPUTES: JUL-SEP 2017, p. 40-44
 - *Brief Overview on Unconscious Bias in Arbitration*, volume of the international conference Legal, Political and Administrative Consequences of Romania's Accession to the European Union, ProUniversitaria Publishing, 2017, p. 118-129
 - *Pros and Cons on the Opportunity to Use the Emergency Arbitrator Procedure*, LSO Constanta (USH) 20-21 oct 2017, p. 33,34, Ed. Sitech; http://lawconfconstanta.weebly.com/uploads/1/1/6/2/11622303/Iso_2017_book_of_abstracts.pdf
 - *Tendențe de eficientizare în lumina noilor reguli române de procedură arbitrală*, Dreptul românesc la 100 de ani de la Marea Unire. Dimensiuni și tendințe, București, 20 aprilie 2018, p. 121-126, <https://www.ceeol.com/search/book-detail?id=646824>
 - *A Time for Change: Internationalizing Romanian Institutional Arbitration Rules*, Legal and Administrative Studies Proceedings of Conference, Legal, Political and Administrative Consequences of Romania's Accession to the European Union, Ed. Pro Universitaria 2018, p. 98-111

- *A Century of Romanian Arbitration: A Historical Milestone, From Tradition to Modernity*, Law Review vol. VIII, issue 2, Jul-Dec 2018, <http://www.internationallawreview.eu/article/a-century-of-romanian-arbitration-historical-milestones-from-tradition-to-modernity>
- *Report on the Diversity Roundtable at Vienna Arbitration Days 2018*”, Law Review vol. VIII, issue 1, Jan-June 2018, <http://www.internationallawreview.eu/article/report-on-the-diversity-roundtable-at-vienna-arbitration-days-2018>
- *Arbitrator Selection: Diversity & Gender Balance*, Austrian Yearbook on International Arbitration 2019 (VAD 2018), Vienna 2019, p. 538-548
- *The Importance of predictability in arbitration*, in The Jurisprudence Role in Developing the New Romanian Law (ICJ, annual session), ProUniversitaria 2019, p.141-146, published also online <https://www.universuljuridic.ro/importanta-predictibilitatii-in-arbitraj/> (Universul Juridic 8/2019)
- *The Prague Rules, Alternative to the IBA Rules on Taking the Evidence in International Arbitration*, RRDA 3/2018, p. 35-49
- *In the pursuit of the Cherished Notion of Efficiency Through the New Prague Rules*, <https://praguerules.com/publications/>, Revista Română de Arbitraj nr. 2/2019 (apr-iun 2019), <https://praguerules.com/upload/iblock/2be/2be722293282aed11986600b8983c503.pdf>, p. 38-63
- *Provocări privind protecția datelor și a inteligenței artificiale în arbitraj*, conferința națională “Cercetări avansate în științe juridice, economice și administrative”, ediția a v-a, Craiova, 18 decembrie 2019, Ed. Sitech 2020, p. 22-30
- *Încercări de eficientizare a procedurii arbitrale prin prisma celor mai noi tendințe în materie*, In Honorem Mircea N. Costin / coord.: Sergiu Golub, Raul Felix Hodoș, Ioan Lazăr, Mihaela Mocanu. - București : Editura Hamangiu, 2020, p. 209-237
- *Emerging tools to attract and increase the use of international arbitration*, <http://tribunajuridica.eu/arhiva/anul10v2.html>, Juridical tribune, Volum 10, No. 2, June 2020, Issue 6, <http://tribunajuridica.eu/arhiva/An10v2/6.%20Cristina%20Florescu.pdf>, p. 255-278

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

Participation to the annual VIAC-UNCITRAL Conference held in Vienna (2006-2012)

Participation to VAD (Vienna Arbitration Days) 2015-2019

Participation as an international arbitrator (member of the jury) to the annual Wilhem C. Vis Moot Vienna (2006-2020)

Participation to the CDRC Vienna - The IBA-VIAC Mediation and Negotiation Competition (2015)

9. Languages

Mother tongue: Romanian

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

10. In which legal systems have you trained?

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

Other: Romanian Law

11. What is your main jurisdiction of practice?

Legal advice in civil, commercial, corporate, banking and other private law matters, articles of incorporation, loan agreements, assignment agreements, documents of conveyance, rental/lease agreement, security agreements, employment agreements, negotiations, setting up joint ventures and representative offices, liquidation actions, insolvency, international commercial arbitration, ADR, enforcement of international arbitration decisions, international sales law, all legal work and advice related to setting-up companies and proceedings, legal advice on the day-to day basis for Romanian companies and supervision and coordination of the work of in-house lawyers; construction contracts and FIDIC etc.

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

Romanian civil system, Bucharest Bar since 2001

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

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- Antitrust/Unfair competition Damages Insolvency Power plants
- Aviation Distribution Insurance Private Intern. Law
- Banking & Finance Domain name disputes Intellect. property (IP) Public Intern. Law
- Capital markets Employment ISDS/ Foreign invest. Real estate
- CISG Energy Joint ventures Shipping
- Civil fraud disputes Engineering Licensing 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
- X Other: FIDIC, ADR, trade, finance and general business/commercial/corporate law

15. Date of birth: 19 February 1971

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>.

Date

and

Signature

21 September 2020