

# VIAC – Questionnaire for Arbitrators

**1. Name:** Remy GERBAY

**2. Citizenship:** French

**3. Contact information:**

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**4. Current position:**

**I am a practitioner and a scholar:**

- Counsel, MoloLamken LLP
- Co-Director of the LL.M. in International Dispute Resolution (Distance Learning), Queen Mary University of London

**5. Education:**

- PhD, Arbitration Law, University of London
- LL.M, International Law, Georgetown University (Fulbright Scholar; Dean's Honours List)
- Masters, International Relations/International Law, University of Geneva / Graduate Institute
- Undergraduate French Law Degree, University of Lyon (Jean Moulin) (High Honours)

**6. Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
  - As counsel: Over 30 (ICSID, UNCITRAL, ICC, LCIA, purely *ad hoc*)
  - As arbitrator: 17 (UNCITRAL, ICC, LCIA, DIAC, Swiss Chambers, KIAC, purely *ad hoc*)
  - As case administrator (LCIA, DIFC-LCIA): Over 300
- How often have you acted as Chairman? 2 cases
- How often have you acted as Sole Arbitrator? 11 cases
- How often have you acted as Co-Arbitrator? 4 cases
- How often have you acted as Counsel? Over 30 times
- How often have you acted in a different function (e.g. Administrative Secretary)?
  - Case administrator at the LCIA Deputy Registrar and DIFC-LCIA Registrar: over 300 cases

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

### Main publications:

- **Book** (as co-editor and co-author): THE ICSID CONVENTION, RULES AND REGULATIONS: A PRACTICAL COMMENTARY, Elgar Publishing (Forthcoming 2019).
- **Book** (as co-author): ANNULMENT AND ENFORCEMENT PROCEEDINGS FROM A COMPARATIVE LAW PERSPECTIVE, Kluwer Law International (Forthcoming 2018).
- **Book** (as sole author): THE FUNCTIONS OF ARBITRAL INSTITUTIONS, Kluwer Law International (2016).
- **Book** (as co-author): ARBITRATING UNDER THE 2014 LCIA RULES, Kluwer Law International (2015).
- **Article** (as sole author): "Is the End Nigh Again? An Empirical Assessment of the "Judicialization" of International Arbitration", 25 Am. Rev. Int'l Arb. 223 (2014).
- **Article** (as sole author): "Neither Savile Row Nor Quite Vivienne Westwood: The Verdict on the 2014 LCIA Arbitration Rules," 2014 (4) Paris J. of Int'l Arb. 675 (2014).
- **Chapter** (as sole author): "'Literature Review? What Literature Review?!' – The Influence of Legal Culture on Scholarship in International Arbitration", in THE EVOLUTION AND FUTURE OF INTERNATIONAL ARBITRATION, Stavros Brekoulakis, Julian Lew, Loukas Mistelis (eds) Kluwer (2016).
- **Chapter** (as sole author): "London Court of International Arbitration", in ARBITRATION IN ENGLAND, Julian D.M. Lew, H. Bor, G. Fullelove, Joanne Greenaway (eds), Kluwer (2013).
- **Chapter** (as sole author): "The LCIA", in World Arbitration Reporter, Larry Shore and Loukas Mistelis (eds), Juris (2013 & 2016).
- **Empirical survey** (as co-author): "International Arbitration Survey 2013: Corporate choices in International Arbitration", Empirical survey sponsored by PricewaterhouseCoopers and Queen Mary, University of London (2013).
- **Chapter** (as co-author) "International Fraud and Asset Tracing – France", with Denis Chemla, European Lawyer Reference Series (2011).

### Shorter publications

- **Blog**: "Due Process Paranoia (Part 2): Assessing the Enforcement Risk under the English Arbitration Act", published on the Kluwer Arbitration Blog, 20 February 2017 (co-authored).
- **Interview**: "Arbitration —Looking Ahead to 2017", Lexis Nexis PSL Arbitration (2016)
- **Case note**: "ICSID award no replacement for annulled OHADA award (Getma v Guinea)", Lexis Nexis PSL Arbitration (2016).
- **Interview**: "LCIA Arbitration in the 21st Century - An Insider's Perspective", Lexis Nexis PSL Arbitration (2015).
- **Blog**: "The LCIA's New Guidance Notes – An (uneasy) Exercise in Relative Normativity", published on the Kluwer Arbitration Blog, 1 September 2015.
- **Blog**: "Due Process Paranoia", published on the Kluwer Arbitration Blog, 6 June 2016.
- **Interview**: "Commercial Arbitration Annual Review -UK", Financier Magazine (2015).

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

- Member LCIA (former global co-Chair of YIAG; former Deputy Registrar; former Registrar DIFC-LCIA)
- Member editorial board of ICC Bulletin
- Member editorial board of Journal of International Arbitration
- Member of IBA, ICC-YAF, Young-ICCA

**9. Languages**

Mother tongue: French

Working languages: English

Reading proficiency Spanish and Italian

### In which legal systems have you trained?

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

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

Both US (NY and DC) and UK.

I also frequently sit in cases governed by French law or laws inspired by the Napoleonic code (eg. Swiss, sub-Saharan African jurisdictions)

### 11. 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 |
| X <b>Banking &amp; Finance</b>                           | <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 type="checkbox"/> ISDS/ Foreign invest.    | <input type="checkbox"/> Real estate         |
| <input type="checkbox"/> CISG                            | X <b>Energy</b>                                  | <input type="checkbox"/> Joint ventures           | <input type="checkbox"/> Shipping            |
| <input type="checkbox"/> Civil fraud disputes            | <input type="checkbox"/> Engineering             | <input type="checkbox"/> Licensing                | <input type="checkbox"/> Sports              |
| <input type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment           | <input type="checkbox"/> Life sciences            | X <b>State/Public contracts</b>              |
| <input type="checkbox"/> Commodity market                | X <b>Healthcare &amp; Pharmac.</b>               | <input type="checkbox"/> Maritime arbitration     | <input type="checkbox"/> Technology          |
| X <b>Company/Corporate/M&amp;A</b>                       | <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 type="checkbox"/> Contract law                    | <input type="checkbox"/> Infrastructure          | <input type="checkbox"/> Natural resources        |  |
| <input type="checkbox"/> Other _____                     |  |   |  |

### 12. Date of birth: 27 Sept 1979

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>.

\_\_\_\_\_03/10/2018  
Date

and

Remy Gerbay  
Signature