

# VIAC – Questionnaire for Arbitrators

**1. Name:** Philipp Habegger

**2. Citizenship:** Swiss

**3. Contact information:**

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LinkedIn:

**4. Current position:**

Independent Arbitrator

**5. Education:**

University of Zurich Law School (lic.iur. 1989; Dr.iur. 1996); University of Chicago Law School (LL.M. 1994)

**6. Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?  
223 cases as per 14 April 2021 of which 198 were international and 25 domestic.

ICC, Swiss Chambers' Arbitration Institution (Swiss Rules), VIAC, LCIA, DIS, SIAC, AAA/ICDR, SCC, Finland Arbitration Institute, UNCITRAL, ad hoc

- How often have you acted as Chairman?  
50 times
- How often have you acted as Sole Arbitrator?  
22 times
- How often have you acted as Co-Arbitrator?  
87 times
- How often have you acted as Counsel?  
58 times
- How often have you acted in a different function (e.g. Administrative Secretary)?  
6 times as Administrative Secretary

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

- Das revidierte Kapitel 12 IPRG über die Internationale Schiedsgerichtsbarkeit (The revised Swiss International Arbitration Act), In: Schweizerische Zeitschrift für Zivilprozess- und Zwangsvollstreckungsrecht (ZZZ), 53/2021, pp. 371-388
- Das Parlament verabschiedet die Revision von Kapitel 12 IPRG mit einem Feinschliff (revision of Swiss international arbitration law), In: ASA Bull. 3/2020, pp. 548-579
- Zwischen vertraglichem Konsens und grundrechtlichem Zwang – Die unfreiwillige Schiedsgerichtsbarkeit (forced arbitration), In: Helmut Heiss / Peter Isler / Wolfgang Portmann / Florent Thouvenin (Eds.), Gedächtnisschrift für Claire Huguenin, St. Gallen, 2019
- Saving Time and Costs in Arbitration, In: Manuel Arroyo (Ed.), Arbitration in Switzerland - The Practitioner's Guide: Commentary, Wolters Kluwer, 2nd Ed., The Hague, 2018
- Article 43 of the Swiss Rules: Emergency Relief, In: Manuel Arroyo (Ed.), Arbitration in Switzerland - The Practitioner's Guide: Commentary, Wolters Kluwer, 2nd Ed., The Hague, 2018

- Introduction: ICC Rules, In: Manuel Arroyo (Ed.), *Arbitration in Switzerland - The Practitioner's Guide: Commentary*, Wolters Kluwer, 2nd Ed., The Hague, 2018
  - Commentary on Art. 360-362, 364-366, 370-380 ZPO (domestic arbitration), In: Karl Spühler/ Luca Tenchio/ Dominik Infanger (Eds.), *Basler Kommentar, Schweizerische Zivilprozessordnung*, 3rd Ed., Basel, 2017
  - Introduction to Art. 353-399 ZPO (domestic arbitration), In: Karl Spühler/ Luca Tenchio/ Dominik Infanger (Eds.), *Basler Kommentar, Schweizerische Zivilprozessordnung*, 3rd Ed., Basel, 2017
  - The Arbitrator's Duty of Efficiency: A Call for Increased Utilization of Arbitral Powers, In: Patricia Shaugnessy/Sherlin Tung (Eds.), *The Powers and Duties of an Arbitrator: Liber Amicorum Pierre A. Karrer*, Wolters Kluwer, The Hague, 2017
  - Swiss Rules of International Arbitration – Commentary, In: Tobias Zuberbühler, Christoph Müller, Philipp Habegger (Eds.), *Swiss Rules of International Arbitration: Commentary*, Schulthess Verlag, Juris, 2nd ed. 2013
  - The Revised Swiss Rules of International Arbitration, *New York Dispute Resolution Lawyer*, Fall 2012, Vol. 5, No. 2, pp. 61-63
  - The Revised Swiss Rules of International Arbitration, together with Anna Masser, *Praxis des Internationalen Privat-und Verfahrensrechts (IPRax)*, 5/2012, pp. 459-464
  - The Revised Swiss Rules of International Arbitration, together with Anna Masser, *Anwalts Revue*, 4/2012, pp. 175-180
  - The Revised Swiss Rules of International Arbitration – An Overview of the Major Changes, *ASA Bull.* 2/2012, pp. 269-311
  - The UNCITRAL Notes on organizing Arbitral Proceedings – Time for an Update?, together with Anna Masser, In: Kröll/ Mistellis/ Rogers/ Perales Viscasillas (Eds.), *Liber Amicorum Eric Bergsten. International Arbitration and International Commercial Law: Synergy, Convergence and Evolution*, Alphen a/d Rijn 2011, pp. 207-223
  - (No) forfeiture of right to challenge an award when previous partial award was not challenged?, *ASA Bull.* 2/2010, pp. 130-136
  - Switzerland, together with Micha Bühler, In: *Guide to National Rules of Procedure for Recognition and Enforcement of New York Convention Awards*, Paris, 2009, pp. 279-285
  - Document Production – An Overview of Swiss Court and Arbitration Practice, In: *ICC International Court of Arbitration Bulletin*, 2006 Special Supplement, Document Production in International Arbitration, 2006, pp. 21-34
  - Case Note on DFT 129 III 727: Extension of arbitration agreements to non-signatories and requirements of form, *ASA Bull.* 2/2004
  - Transfer of a prorogation clause in case of assignment – Note on a decision of the Zurich Commercial Court of 13 September 2001, *ASA Bull.* 4/2002
  - Arbitration and Groups of Companies – The Swiss Practice, *European Business Organization Law Review (EBOR)*, 3/2002, Vol. 3
  - Switzerland: Appointment and Challenge of Arbitrators, *Newsletter of Committee D (Arbitration and ADR) of the International Bar Association Section on Business Law*, 2/1997, Vol. 2
  - The 1995 Rules of the International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation, *Journal of International Arbitration*, 4/1995, Vol. 12
- 
- Frequent appointments as speaker or moderator at arbitration conferences around the world
  - Member Editorial Board *ASA Bulletin*
  - Lecturer on International Arbitration at the University of Zurich Law School
  - Member of the Academic Council and lecturer (until 2013) at the Swiss Arbitration Academy

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

- President (2012-2016) and Member (2008-2012) Arbitration Court Swiss Chambers' Arbitration Institution (Swiss Rules)
- Member ICC International Court of Arbitration (2009-2015)
- Officer and Vice-Chairman Arbitration Committee International Bar Association (2003-2007)

**9. Languages**

Mother tongue: German

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, French (as co-arbitrator only)

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

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Civil Law | <input checked="" type="checkbox"/> Common Law |   |
| <input type="checkbox"/> Austrian Law         | <input type="checkbox"/> Hungarian Law         | <input checked="" type="checkbox"/> Swiss Law |
| <input type="checkbox"/> Czech Law            | <input type="checkbox"/> Polish Law            | <input type="checkbox"/> Ukrainian Law        |
| <input type="checkbox"/> German Law           | <input type="checkbox"/> Slovakian Law         | <input type="checkbox"/> European Law         |

Other: United States

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

Switzerland

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

Swiss bar since 1992

**13. 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    |
| <input type="checkbox"/> Banking & Finance                          | <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                                       | <input type="checkbox"/> Energy                           | <input checked="" 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 checked="" type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment                    | <input type="checkbox"/> Life sciences             | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Commodity market                           | <input checked="" type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Maritime arbitration      | <input type="checkbox"/> Technology             |
| <input checked="" type="checkbox"/> Company/Corporate/M&A           | <input type="checkbox"/> Hotel/Gastro./Tour.              | <input type="checkbox"/> Media                     | <input type="checkbox"/> Telecommunication      |
| <input checked="" 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 _____                                |   |  |   |

**14. Date of birth:** 23 October 1964

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".

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](mailto: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 May 2021

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Date

and

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Signature