

VIAC – Questionnaire for Arbitrators

1. **Name:** Detlev Kühner

2. **Citizenship:** German

3. **Contact information:**

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4. **Current position:** Partner BMH AVOCATS

5. **Education:** Universities of Heidelberg, Lausanne and Paris II

Admitted as a lawyer to the German bar (Stuttgart) and the French bar (Paris)

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?

40 international arbitration cases (ICC Rules, Swiss Rules, SCC Rules, DIS Rules, CFACI, CMAP, UNCITRAL Rules, ad hoc)

- How often have you acted as Chairman?

5 times

- How often have you acted as Sole Arbitrator?

17 times

- How often have you acted as Co-Arbitrator?

6 times

- How often have you acted as Counsel?

12 times

- How often have you acted in a different function (e.g. Administrative Secretary)?

Administration of + 500 ICC Arbitration Cases as Counsel at the Secretariat of the ICC International Court of Arbitration

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

Regular intervention and participation at seminars and conferences, major publications:

“Internationale Schiedsverfahren”, Salger/Trittmann, Kapitel über Frankreich, C.H. Beck, 2019, 650-668

“Annulment and enforcement of arbitral awards from a comparative law perspective”, Chapter on France, Wolters Kluwer, 2018, 33-50

“Le défaut de participation à l’arbitrage dans le principe du contradictoire en arbitrage”, Collection Francarbi, Bruylant 2016, 33-50

“Arbitration in Germany”, author of the Chapter “ICC Arbitration in Germany”, Kluwer, 1st edition 2007 and 2nd edition 2015

“Conditions for valid award notifications under the French 2011 Decree”, ASA Bulletin, Volume 33, N.4, 2015, 929-937

“The impact of party impecuniosity on arbitration agreements: the example of France and Germany”, (2014) 31(6) J. of Int’l Arb., 519-534

“Das neue französische Schiedsrecht”, SchiedsVZ 3/2011, 125-131

„The revised IBA-Rules on the taking of evidence in international arbitration, (2010) 27(6) J. of Int’l Arb., 667-677

“Panorama international de jurisprudence – Allemagne, Autriche », annual publication in the Paris J. of Int’l Arb. since 2009

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

ICC Commission on Arbitration and ADR

Association Suisse d’Arbitrage (ASA)

Deutsche Institution für Schiedsgerichtsbarkeit (DIS)

Association Française d’Arbitrage (AFA)

International Arbitration Institute (IAI)

Association des Juristes Français et Allemands (AJFA)

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

10. In which legal systems have you been trained?

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input 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 checked="" type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law | <input checked="" type="checkbox"/> European Law |
- Other: French law

11. What is your main jurisdiction of practice?

France and Germany

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

France and Germany

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 checked="" type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input 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 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 checked="" type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Natural resources | |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: 22.02.1968

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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>.

18/05/2021
Date