

VIAC – Questionnaire for Arbitrators

- 1. Name:** Hon.-Prof. Dr. Irene Welser
- 2. Citizenship:** Austrian
- 3. Contact information:**
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LinkedIn: [LinkedIn – Irene Welser](#)
- 4. Current position:** Partner and Head of the Department for Contentious Business with CERHA HEMPEL Rechtsanwälte GmbH
- 5. Education:** University of Vienna (Mag. iur. 1986, Dr. iur. 1988)
- 6. Practiced experience in arbitration**
- How many arbitrations have you participated in (domestic/international); under which Rules?
50 (14 domestic / 36 international) under a variety of rules, including: ICC, VIAC, UNCITRAL, LCIA and ad hoc proceedings.
 - How often have you acted as Chairman?
5
 - How often have you acted as Sole Arbitrator?
4
 - How often have you acted as Co-Arbitrator?
15
 - How often have you acted as Counsel?
24
 - How often have you acted in a different function (e.g. Administrative Secretary)?
2
- 7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**
- VIAC Board Member
 - Co-editor of the Austrian Yearbook on International Arbitration
 - Regular Speaker at international conferences, continues to hold lectures on the topics of arbitration and D&O liability at the University of Vienna and, additionally, lectured on arbitration in Istanbul, California, Hong-Kong, Beijing, Seoul, Tokyo, Brussels, Romania, Slovakia and at the Düsseldorf Arbitration School as well as at the Austrian Arbitration Academy.
 - Publications on Arbitration:
 - [Verfahrensökonomie aus anwaltlicher Sicht](#), Benn-Ibler/Lewisch (Eds), Ökonomie des Verfahrensrechts, 71ff
 - [Production of Physical Evidence in International Arbitration - A No Go ? \(with Samuel Mimmagh\)](#), in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Welser/Zeiler, Austrian Yearbook on International Arbitration 2020, 115ff

- [Private Enforcement of Cartel Infringements before Arbitral Tribunals \(with Anna Wolf-Posch\)](#), in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Welser/Zeiler, Austrian Yearbook on International Arbitration 2019, 39ff
- Unilateral Arbitration Clauses (with Gregor Klammer) in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler, Austrian Yearbook on International Arbitration 2018, 3ff
- The Use and Usefulness of Scott Schedules In International Arbitration (with Alexandra Stoffl) in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler, Austrian Yearbook on International Arbitration 2017, 161.
- Calderbank Offers and Baseball Arbitration – Effective Settlement Techniques? (with Alexandra Stoffl) in *Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler*, Austrian Yearbook on International Arbitration 2016, 87.
- Schiedsgerichte über Baustreitigkeiten – Tipps und Fallen, ZRB 2015/4, XXIII
- Festschrift für Siegfried H. Elsing zum 65. Geburtstag – Mehrparteien-Schiedsverfahren aus praktischer Sicht: Segen oder Fluch? Irene Welser, 651-670
- [Fast Track Proceedings, Expedited Procedure and Emergency Arbitrator– Pros and Cons. In: Liber Amicorum dedicated to prof. Jerzy Rajski: The Challenges and the Future of Commercial and Investment Arbitration, Warsaw 2015, 215ff](#)
- The Arbitrator and the Arbitration Procedure, Multi-Party Arbitration - A Strategic Analysis with Focus on the Nomination of Arbitrators, in: Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler (Eds.), Austrian Yearbook on International Arbitration 2015, 277
- [Wirksame Vereinbarung einer Schiedsklausel im Gesellschaftsvertrag; Zuständigkeit des Schiedsgerichts für Anspruch auf Ausübung der Kontrollrechte –Anmerkung zu OGH 15.5.2014, 6 Ob 5/14 z, in GesRZ 6/2014 , S 385ff](#)
- [Lahmlegung des Geschäftsbetriebs durch schiedsgerichtliche einstweilige Verfügungen? Festschrift für Johannes Reich-Rohrwig \(2014\), 335ff](#)
- [Efficiency – Today’s Challenge in Arbitration Proceedings, in: Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler \(Eds.\), Austrian Yearbook on International Arbitration 2014, 151](#)
- [Austrian and International Arbitration - Status Quo and Recent Trends, In: Welser \(Ed.\): Neuere Privatrechtsentwicklungen in Österreich und in der Türkei, Wien 2013, 141ff](#)
- Effizienz in internationalen Schiedsverfahren - Wunsch oder Wirklichkeit? in: Fitz/Kalss/Kautz/Kucsko/Lukas/Torggler (Eds.), Festschrift für Hellwig Torggler (2013), 1279
- Entwicklungen und Trends in der Internationalen Schiedsgerichtsbarkeit, in Schwind/Hoyer/Ofner (Eds.), Festschrift 50 Jahre ZfRV (2013), 239
- Korruptionsstrafrecht am Beispiel des Anfüterungsverbots für Schiedsrichter, in: Schumacher/Zimmermann (Eds.), 90 Jahre Fürstlicher Oberster Gerichtshof, Festschrift für Gert Delle Karth, 2013, 1019
- ["Sweetening" or "Baiting" - A New Crime for Arbitrators?](#), in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler (Eds.): Austrian Yearbook on International Arbitration 2013, 151
- [Arbitration with defaulting parties - a practical approach, in: Romanian Arbitration Journal Nr. 2 / 2013, Volume 26, 62 ff](#)
- Schiedsfähigkeit des Anspruchs auf Aufhebung eines Generalversammlungsbeschlusses - Anmerkung zu 6 Ob 42/12p, in: GesRZ 2012, 359
- [The Scope of Arbitration Clauses - Or: "All Disputes Arising out of or in connection with this Contract..."](#), in

- Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler (Eds.): Austrian Yearbook on International Arbitration 2012, 17 (with Mag. Susanne Molitoris).
- [Schiedsverfahren mit unkooperativen Beklagten - ein Bericht aus der Praxis, Der Gesellschafter - GesRZ 2012, 55](#)
 - [M & A Post Closing Issues: Arbitration and Third Party Joinder, in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler \(Eds.\), Austrian Yearbook on International Arbitration 2011,3](#)
 - Fast Track Arbitration in Austria, Digital Guide 2010, Executiveview.com
 - [Best Practices in Arbitration, in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler \(Eds.\): Austrian Yearbook on International Arbitration 2010, 79 \(with Giovanni De Berti\)](#)
 - [Fast Track Arbitration: Just fast or something different?, in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler \(Eds.\): Austrian Arbitration Yearbook 2009, 259 \(with Dr. Christian Klausegger\)](#)
 - [Formality in International Commercial Arbitration – For Better or For Worse? in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler \(Eds.\): Austrian Arbitration Yearbook 2008, 221 \(with Mag. Susanne Wurzer\)](#)
 - Arbitration in Austria, in: International Commercial Arbitration, 303, Istanbul Chamber of Commerce Publication No. 2007/45
 - [Pitfalls of competence, in Klausegger/Klein/Kremslehner/Petsche/Pitkowitz/Power/Welser/Zeiler \(Eds.\): Austrian Arbitration Yearbook 2007, 3](#)
 - Vermischte Fragen aus der schiedsgerichtlichen Praxis, in: Festschrift Krejci (2001), 1881

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

VIAC, ArbAut; Arbitral Women; Vienna Bar Association; IBA; ASA; CELA; CEPANI; Scottish Arbitration Centre

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; (Italian)

10. In which legal systems have you trained?

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input type="checkbox"/> Common Law | |
| <input checked="" type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input 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 checked="" type="checkbox"/> European Law |

Other _____

11. What is your main jurisdiction of practice?

Austria, with extensive experience with German and Swiss law as well as other continental law systems and international law.

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

Austria

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

- | | | | |
|--|--|---|---|
| <input checked="" 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 checked="" type="checkbox"/> Energy | <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 | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Commodity market | <input 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 checked="" type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Natural resources | |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: 2 April 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. 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>.

28.9.2020

Date