

# VIAC – Questionnaire for Arbitrators

**1. Name:** Dr. Reinmar Wolff

**2. Citizenship:** German

**3. Contact information:**

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**4. Current position:**

Lawyer, Assistant Professor

**5. Education:**

University of Marburg (Dr. jur.), Legal Clerkship in Marburg, Frankfurt and Sydney (Second State Exam),

University of Marburg (First State Exam)

**6. Practiced experience in arbitration**

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

41 arbitrations (24 domestic and 17 international arbitrations)

ICC, SIAC, WIPO, DIS, Frankfurt Chamber of Commerce, ad hoc, UNCITRAL Rules (ad hoc investment arbitration)

- How often have you acted as Chairman?

17 arbitrations

- How often have you acted as Sole Arbitrator?

2 arbitrations

- How often have you acted as Co-Arbitrator?

13 arbitrations

- How often have you acted as Counsel?

5 arbitrations

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

4 arbitrations (twice as administrative secretary, twice as legal expert)

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

Books and Commentaries

- Commentary on Art. II(1), (2) and V(2)(b), in: Wolff (ed.), New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, Commentary, C. H. Beck, Hart, Nomos 2012, pp. 89–151, 402–437; 2nd ed. 2019, pp. 91–158, 416–461.
- Rights and Duties of Arbitrators, in: Arroyo (ed.), Arbitration in Switzerland – The Practitioner’s Guide, Kluwer Law International 2013, pp. 1419–1432; 2nd ed. 2018, pp. 2723–2741.
- Chapter 5. Interim Relief and Chapter 6. Arbitral Award, in: Kreindler/Wolff/Rieder, Commercial Arbitration in Germany, Oxford University Press 2016.
- Schiedsgerichtsbarkeit, Kompendium für die Praxis [Arbitration – Practitioners’ Compendium], Recht und Wirtschaft 2006 (co-authors Dr. Richard H. Kreindler and Jan K. Schäfer).

## Articles

- Review of Frank-Bernd Weigand/Antje Baumann (eds.), *Practitioner’s Handbook on International Commercial Arbitration*, 3rd edition 2019, in: 37(3) *ASA Bulletin* 789–790 (2019).
- *Coaches Make the Moot Work*, in: Prof. Dr. Jörg Risse (Hrsg.), *The Complete (but unofficial) Guide to the Willem C. Vis International Commercial Arbitration Moot*, 5th edition, Munich, Oxford, Baden-Baden 2019, pp. 181–186.
- *The UN Convention on the Use of Electronic Communications in International Contracts: An Overlooked Remedy for Outdated Form Provisions under the New York Convention?*, in: Prof. Dr. Katia Fach Gómez and Prof. Dr. Ana Mercedes López Rodríguez (eds.), *60 Years of the New York Convention: Key Issues and Future Challenges*, Kluwer 2019, pp. 101–120.
- *Staatliches Gericht und Schiedsgericht: Freund oder Feind? Über Wettbewerb und Zusammenwirken auf materiellrechtlichem und prozessuellem Gebiet [State Court and Arbitral Tribunal: Friend or Foe? On Competition and Cooperation in Substantive and Procedural Areas]*, in: Prof. Dr. Rüdiger Wilhelmi and Prof. Dr. Michael Stürner (eds.), *Post-M&A-Schiedsverfahren, Recht und Rechtsfindung jenseits gesetzlichen Rechts? [Post-M&A Arbitration, Law and Judicial Findings Beyond Statutory Law]*, Heidelberg 2018, pp. 73–88.
- *Die Ergänzenden Regeln für gesellschaftsrechtliche Streitigkeiten der DIS: Bilanz der DIS-ERGeS 2009 und Vorstellung der DIS-ERGeS 2018 [The DIS Supplementary Rules for Corporate Disputes: Taking Stock of the DIS CDR 2009 and Presentation of the DIS CDR 2018]*, in: *SchiedsVZ 2018*, pp. 246–257.
- *E-Arbitration Agreements and E-Awards – Arbitration Agreements Concluded in an Electronic Environment and Digital Arbitral Awards*, in: Prof. Dr. Maud Piers and Prof. Dr. Christian Aschauer (eds.), *Arbitration in the Digital Age: The Brave New World of Arbitration*, Cambridge 2018, pp. 151–181.
- *Model Laws as Instruments for Harmonization and Modernization*, in: UNCITRAL (ed.), *Modernizing International Trade Law to Support Innovation and Sustainable Development*, Proceedings of the Congress of the United Nations Commission on International Trade Law, Vienna, 4–6 July 2017, Volume 4: Papers presented at the Congress, Vienna 2017, pp. 10–21.
- *Das vom Schiedsgericht anzuwendende Recht: Eine responsio [The Law to be Applied by the Arbitral Tribunal: a responsio]*, in: Dr. Susanne Gössl et al. (eds.), *Politik und Internationales Privatrecht [Politics and Private International Law]*, Tübingen 2017, pp. 53–60.
- *Case note on BGH, Decision of March 16, 2017, I ZB 49/16 (Invocation in Bad Faith of a Lack of Arbitrability of Entitlements to Compulsory Portions Where Arbitration is Prescribed by Will)*, in: *LMK 2017*, p. 393840.
- *Anforderungen an die Justiz aus Sicht der Schiedsgerichtsbarkeit [The Demands of Arbitration on the Judiciary]*, in: Tina de Vries (ed.), *Die Förderung der Rule of Law durch außergerichtliche Streitbeilegung – Deutschland, Polen, Ukraine [The Promotion of the Rule of Law Through Alternative Dispute Resolution – Germany, Poland, Ukraine]*, Berlin etc. 2018, pp. 37–71.
  - Translation into Ukrainian: *Вимоги до юстиції з точки зору арбітражного судочинства*, in: Prof. Dr. Oleksandr Kopylenko and Prof. Dr. Dres. h. c. Friedrich-Christian Schroeder (eds.), *Альтернативні та судові процедури вирішення спорів: сучасний стан і нові тенденції в Україні, Німеччині та Польщі, Alternative und gerichtliche Verfahren der Streitbeilegung: aktueller Stand und neue Tendenzen in der Ukraine, Deutschland und Polen [Alternative and Judicial Dispute Resolution Proceedings: Current Status and New Tendencies in Ukraine, Germany and Poland]*, Kiev 2016, pp. 78–111.
  - Translation into Polish: *Wyzwania stawiane wymiarowi sprawiedliwości przez sądownictwo arbitrażowe*, in: Prof. Dr. Józef Koredczuk (ed.), *Alternatywne sposoby rozstrzygania sporów w Polsce, w Niemczech i na Ukrainie*, Warsaw 2018, pp. 29–50.
- *Gesellschaftsrechtliche Streitigkeiten vor Schiedsgerichten – die deutsche Perspektive [Corporate Disputes Before Arbitral Tribunals – the German Perspective]*, in: Dr. Witold Jurcewicz, Karl Pörnbacher and Dr. Cezary Wiśniewski (eds.), *Spory korporacyjne w praktyce arbitrażowej – perspektywa Polska i Niemiecka, Gesellschaftsrechtliche Streitigkeiten in der Praxis der Schiedsgerichtsbarkeit – polnische und deutsche Perspektiven [Corporate Disputes in Arbitration Practice – Polish and German Perspectives]*, Warsaw 2017, pp. 277–291.

- Translation into Polish: Spory korporacyjne przed sądami arbitrażowymi w Niemczech – zagadnienia praktyczne i teoretyczne, idem, pp. 95–109.
- Empfiehlt sich eine Reform des deutschen Schiedsverfahrensrechts? [Is Reforming the German Arbitration Law Advisable?], in: SchiedsVZ 2016, pp. 293–306.
- Die Schiedsvereinbarung als unvollkommener Vertrag? Zum Rügeerfordernis des § 1032 Abs. 1 ZPO [The Arbitration Agreement as an Imperfect Contract? On the Requirement of a Request under Section 1032 para. 1 of the Code of Civil Procedure], in: Dr. Daniel Effer-Uhe, Dr. Elisa Hoven, Dr. Simon Kempny and Luna Rösinger (eds.), Einheit der Prozessrechtswissenschaft? [Unity of Procedural Law Doctrine?], Stuttgart etc. 2016, pp. 419–432.
- Die Schiedsvereinbarung als unvollkommener Vertrag? Zum Rügeerfordernis des § 1032 Abs. 1 ZPO [The Arbitration Agreement as an Imperfect Contract? On the Requirement of a Request under Section 1032 para. 1 of the Code of Civil Procedure], in: SchiedsVZ 2015, pp. 280–286.
- Case note on BGH, Decision of April 16, 2015, I ZB 3/14 (Contractual Stipulation of an Objection Based on a Due Process Violation Against the Arbitral Award), in: LMK 2015, p. 374507.
- Review of Klaus-Peter Berger, Private International Dispute Resolution in International Business – Negotiation, Mediation, Arbitration, 3rd edition 2015, in: (2015) 32 J. Int. Arb. 711–713.
- Judicial Assistance by German Courts in Aid of International Arbitration, in: Devin Bray and Heather Bray (eds.), International Arbitration and the Courts, Huntington 2015, pp. 233–268.
- Verzicht auf rechtliches Gehör im Schiedsverfahren [Due Process Waiver in Arbitration], in: Dr. Michael Nueber, Dominika Przeszłowska and Michael Zwirchmayr (eds.), Privatautonomie und ihre Grenzen im Wandel [Shifting Boundaries of Private Autonomy], Vienna 2015, pp. 171–182.
- On the Interpretation of Model-Law-Based Provisions. Is Article 2a(1) of the UNCITRAL Model Law on International Commercial Arbitration “Useful and Desirable” or Just Futile?, in: Austrian Yearbook on International Arbitration 2014, pp. 51–76.
- Case note on BGH, Decision of December 16, 2010, III ZB 100/09 (Preclusion of the Objection that There is no Valid Arbitration Agreement due to the Failure to File a Time-Bound Remedy in the Award’s Country of Origin), in: LMK 2011, p. 318374.
- Review of Bernhard Berger/Franz Kellerhals, International and Domestic Arbitration in Switzerland, 2nd edition 2010, in: 29(2) ASA Bulletin 513–515 (2011).
- Review of Frank-Bernd Weigand (ed.), Practitioner’s Handbook on International Commercial Arbitration, 2nd edition 2009, in: SchiedsVZ 2011, p. 45.
- Judicial Assistance by German Courts in Aid of International Arbitration, in: 19 Am. Rev. Int’l Arb. 145–171 (2008).
- Beschlussmängelstreitigkeiten im Schiedsverfahren [Disputes on the Validity of Shareholders’ Resolutions in Arbitration], in: NJW 2009, pp. 2021–2023.
- Review of Jens-Peter Lachmann, Handbuch für die Schiedsgerichtspraxis [Handbook for the Arbitration Practice], 3rd edition 2008, in: SchiedsVZ 2009, pp. 64–65.
- Party Autonomy to Agree on Non-Final Arbitration?, in: 26(3) ASA Bulletin 626–641 (2008).
- Case note on BGH, Decision of May 21, 2008, III ZB 14/07 (Recognition and Enforcement of an Arbitral Award set Aside in its Country of Origin), in: LMK 2008, p. 265473.
- Gestaltung einer vertragsübergreifenden Schiedsklausel [Drafting of an Arbitration Clause Spanning Multiple Contracts], in: SchiedsVZ 2008, pp. 59–62.
- Grundzüge des Schiedsverfahrensrechts [Basics of Arbitration Law], in: JuS 2008, pp. 108–113.
- Case note on BGH, Decision of March 1, 2007, III ZB 7/06 (Arbitration Clause Maintaining Recourse to the State Court after the Award has been Rendered), in: ZJP 120 (2007), pp. 371–377.
- Zurückverweisung der Sache an das Schiedsgericht nach Aufhebung des Schiedsspruchs – zu den „geeigneten Fällen“ nach § 1059 Abs. 4 ZPO [Referring the Matter Back to the Tribunal after Annulment of the Award – on the “Appropriate Cases” pursuant to Section 1059 para. 4 of the Code of Civil Procedure], in: SchiedsVZ 2007, pp. 254–259.
- Case note on BGH, Decision of March 30, 2006, III ZB 78/05 (Enforcement of an Arbitral Award Lacking Enforceable Content), in: SchiedsVZ 2006, pp. 280–281 (co-author Georg D. Falk).
- Streitwertfestsetzung bei wertabhängiger Schiedsrichtervergütung – Schiedsrichter in eigener Sache? [The Determination of the Amount in Controversy Where the Arbitrator’s Fee Depends on that Amount – A Self-Serving Assessment?], in: SchiedsVZ 2006, pp. 131–141.

### Teaching/Lecturing Capacities

- European Business School, Wiesbaden, Germany, lectures on commercial arbitration in Europe, EBS Law Summer and EBS Law Term
- University of Jena, Germany, visiting lecturer in international arbitration
- University of Kaliningrad, Russia, guest professor, lecture “International Arbitration,” Summer University
- University of Heidelberg, Germany, visiting lecturer in arbitration
- University of Marburg, Germany, visiting lecturer in civil law and arbitration; establishment and academic supervision of the Marburg Vis Moot Court and ICC Mediation Competition teams

Chairman of the German Red Cross Federal Arbitral Tribunal

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

- Fellow, Chartered Institute of Arbitrators (CI Arb), London
- Member of the Advisory Board, German Institution of Arbitration (DIS), Cologne
- Member of the Working Group of the Federal Ministry of Justice and Consumer Protection for the Review of the German Arbitration Law (Sections 1025 et seq. of the Code of Civil Procedure)
- ICC Commission on Arbitration and ADR
- Österreichische Vereinigung für Schiedsgerichtsbarkeit [Austrian Association for Arbitration] (ArbAut), Vienna
- Swiss Arbitration Association (ASA), Basel
- Deutsche Gesellschaft für Baurecht [German Construction Law Association], Frankfurt am Main
- Deutsche Vereinigung für Internationales Recht [German Branch of the International Law Association (ILA)], Heidelberg

### **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): German, English

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

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Civil Law  | <input type="checkbox"/> Common Law    |  |
| <input 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 checked="" type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law | <input checked="" type="checkbox"/> European Law |

Other \_\_\_\_\_

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

Germany

**12. 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 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 _____                                |  |  |   |

**13. Date of birth:** 1972

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>.

January 11, 2020  
Date