

VIAC – Questionnaire for Mediators

1. **Name:** Claudio Arturo

2. **Nationality:** Italian (born, residing and admitted in Vienna, Austria)



3. **Contact information**

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<http://www.pfka.eu/C1256EC100496A72/0/4E928B69D70592B1C125740F00589A68?OpenDocument>

[mediation information]

<http://www.pfka.eu/C1256EC100496A72.nsf/ns/8E88D97487C3C878C12575BB00390F36?OpenDocument>

[general information on law firm]

<http://www.pfka.eu>

4. **Education and professional experience (original profession; where did you study?):**

Claudio Arturo is a mediator and attorney-at-law based in Vienna with a strong international background both professionally and privately. He has already gained a long-term experience in ADR.

Education and qualification

- University of Vienna (Mag. iur., 1994; Dr. iur., 1996)
- "Orientation in USA-Law", University of California (Berkeley and Davis School of Law), 1997
- Admitted to the Vienna Bar since 2001
- Certified business mediator, registered at the Austrian Ministry of Justice since 2004

Career

- Business mediator with the Attorneys' Association for Mediation and Cooperative Negotiation ("Anwaltliche Vereinigung für Mediation und kooperatives Verhandeln"), 2001-2002
- University assistant with Univ.- Prof. Dr. Peter Doralt at the Institute for Civil Law, Trade and Securities Law, Department for Business Law at the Vienna University of Economics and Business Administration, 1995-1997
- Internship with Prof. Avv. Alessandro Borgioli, Florence, Italy, 1998
- Formation and attorney-at-law at Petsch Frosch & Klein Rechtsanwälte Vienna – Milan, 1998-2004
- Independent attorney-at-law in Vienna, 2004-2007
- Partner at Petsch Frosch Klein Arturo Rechtsanwälte since 2007
- Teaching activities:
 - Lectures in Civil Law, Trade and Securities Law at the Vienna University of Economics and Business Administration, 1995-1997

- Workshops on mediation at ELSA Vienna Dispute Resolution Academy and ELSA Vienna Summer Law School, 2017, 2018 and 2019

Memberships and functions

- UIA (*Union Internationale des Avocats*, national representative Austria)
- UIA Mediation Commission (former vice-president)
- UIA Arbitration Commission
- UIA Contract Law Commission (board member)
- ArbAut (Austrian Association for Arbitration)
- AVM (Attorneys' Association for Mediation and Cooperative Negotiation)
- AIGLI (International Association of Italian Speaking Jurists, vice-president)
- Round table International Business Mediation

5. Core area of current professional activity:

Attorney-at-law; dispute resolution, in particular mediation, arbitration, litigation, commercial contract law, joint venture, business succession, long-term support of domestic and international companies in all legal matters

6. Accreditation in the field of ADR (including relevant trainings and connected qualifications):

Certified business mediator, registered at the Austrian Ministry of Justice since 2004

Full-year training in commercial mediation with AVM (Attorneys' Association for Mediation and Cooperative Negotiation), 2001-2002

ISBM (International School on Business Mediation), 2008 and 2012 -> focus on commercial mediation, family business, particular role of time in mediation process

7. Practical experience in mediation

- How many (international) mediations have you participated in
 - as single/co-mediator/in a team?
 - administered by an institution; under which Rules?
 - in which areas/fields?
 - how complex (*please provide examples, participation of lawyers/experts*)?

I have participated in more than 20 mediations, about half of them are international. Some of these are mandates where I have been engaged in the role of an advisor with the task to apply mediative techniques to obtain a certain goal (e.g. mediative merger advisory and mediative business succession advisory). I usually work as a single mediator. However, I think that co-mediation is a useful tool and therefore I would apply co-mediation when necessary.

Generally speaking, as an Austrian mediator I apply the rules for Austrian civil mediators to my domestic mediations. In addition, I apply the rules contained in my detailed but comprehensive commercial mediation agreement, which is in particular useful when no institution is involved. I have not participated in mediations administered by an institution.

The areas and fields of my mediations include shareholder disputes, business succession (e.g. from one generation to the next), joint venture and commercial contracts - in particular long-term relationships.

Regarding the complexity of the mediations, I have experienced several levels. I have participated in mediations with “just” two parties and without any counsel as well as in multiparty mediations with several counsels.

- How often have you acted in a different function (e.g. consultant, expert)?

As my basic qualification is attorney-at-law, I have acted as counsel for about two decades in countless court litigations, arbitration and mediation proceedings as well as as counsel for commercial contracts and corporate legal projects.

- What other ADR-experience do you have?

I have acted as counsel and arbitrator in several arbitration proceedings as well as in ad hoc proceedings or institutional proceedings conducted in German, English or Italian.

8. Languages (including levels)

Mother tongue:

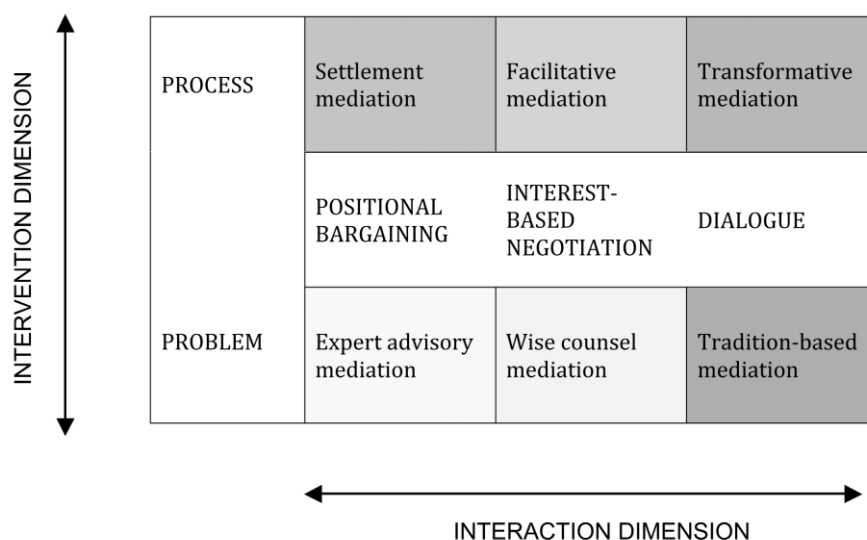
German

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language):

Italian, English

9. Style of mediation

Where do you see yourself? Please tick box as appropriate or indicate your preferred style.



© Alexander, Nadja (2011) "The Mediation Meta-Model - the realities of mediation practice," *ADR Bulletin*: Vol. 12: No. 6, Article 5. Available at: <http://epublications.bond.edu.au/adr/vol12/iss6/5>; see also here for a detailed description of the 6 mediation styles.

Although the formation as mediator has influenced my style of mediator, I have developed my own style of mediation over the years. I'm always open for new approaches and try to benefit from the best of all worlds. I also think that it's important to adapt the style of mediation to the concrete conflict, case and people involved. You need to evaluate what the conflict needs in order to be able to apply a certain style of mediation or. The needs in connection with the conflict determine the style of the mediation. However, in principal I apply a rather interested-based style of mediation and try to transform the conflict from positions and a view to the past to interests and a view to the future.

10. Please describe aspects of your personality which could be interesting to clients you are going to mediate; what would former clients emphasize in your work?

Having grown up in an Austro-Italian family, lived in a multicultural city for several decades and worked in an international environment since the beginning of my career, I am skilled in examining and evaluating issues from different perspectives. My clients emphasize in my work that I always make sure to create a comfortable atmosphere and space where they can deal with issues they would hesitate to mention without mediator's help.

**11. Publications and other activities in ADR related matters
(e.g. training sessions, seminars, conferences, articles and others):**

Workshops at ELSA Vienna Dispute Resolution Academy and ELSA Vienna Summer Law School, 2017, 2018 and 2019

Round table international business mediation (regular participation)

12. Memberships in mediation institutions / functions in mediation institutions/organizations:

- UIA Mediation Commission (former vice-president, member)
- UIA Arbitration Commission (member)
- ArbAut (Austrian Association for Arbitration)
- AVM (Attorneys' Association for Mediation and Cooperative Negotiation)

13. Special expertise or specializations (please list a maximum of three) in your ADR-practice:

shareholder dispute, business succession, long-term business relationships

14. Soft Skills (e.g. intercultural competences):

- extensive intercultural competences due to international personal background and professional life in Austria with continuous contact with various countries and languages
- put a complex scenario in a nutshell
- positive communication
- recognize the real being of a person in any context

15. How do you ensure your professional quality (e.g. coaching, practice supervision, etc)?

peer reviews, supervisions and regular continuous training (the latter being an obligation for certified business mediators)

16. Date of birth:

1970

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 mediators 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 www.viac.eu.

Vienna, 1st September 2022