

## Joachim KNOLL

Partner



### Admission

New York (2004)

Paris (2011)

Geneva (foreign lawyer)  
(2011)

### Nationality

German

### Languages

German

English, French

### Practices

International Commercial Arbitration

Investment Arbitration

Public International Law

### Areas of focus

Construction and Infrastructure

Technology and Telecom

Energy and Mining

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## BIOGRAPHY

Joachim Knoll is a partner at LALIVE and has been practicing international arbitration, both commercial and investment treaty arbitration, since 1999. He has acted as counsel and arbitrator in over 70 international arbitral proceedings, ad hoc (including UNCITRAL) or administered (ICC, ICSID, Swiss Rules, LCIA, SCC, DIS, DIAC, AAA/ICDR), governed by various procedural and substantive laws, including Swiss, French, German, English, New York and Turkish. Joachim Knoll is experienced in disputes involving the main aspects of commercial transactions, in particular disputes relating to the international sale of goods, distribution and investment disputes in the construction, energy, mining, telecommunications, broadcasting and aviation sectors.

He also advises clients on arbitration-related matters including drafting of arbitration agreements, challenges and enforcement of arbitral awards. In addition, he provides advice to governments in the negotiation of investment treaties, as well as to investors on how to structure their investments to ensure effective investment protection.

Joachim Knoll has been designated to serve on ICSID's Panel of Conciliators by the Government of the Federal Republic of Germany (until 2026). He is a former member of the Arbitration Court of the Swiss Chambers' Arbitration Institution which administers arbitrations subject to the Swiss Rules of International Arbitration, and he acted as co-chair of ASA below 40 (Swiss Arbitration Association) from 2010 to 2012. He is head lecturer and a member of the academic council of the Swiss Arbitration Academy.

Since 1999, Joachim Knoll has practiced in arbitration in France with Shearman & Sterling in Paris (1999-2006) and in Switzerland with LALIVE (2006-2008) and with Brown & Page in Geneva (2008-2012). He studied law at the universities of Hamburg and Cologne and passed his First State examination in Cologne in 1998. He holds LL.M. degrees from Boston University (2004) and King's College London (1999), as well as a degree in European law and public international law from the University of Aix-Marseille III, Aix-en-Provence, France (1995).

## PUBLICATIONS

### **Commentary on Article 45 of the Swiss Rules of International Arbitration**

Joachim Knoll, China Irwin, 2023

In: Tobias Zuberbühler, Christoph Müller, Philipp Habegger (Eds.), *Swiss Rules of International Arbitration*, Schulthess Verlag, Juris, 3rd ed. 2023, pp. 601-609

### **Expert Evidence**

Michael E. Schneider, Joachim Knoll, Christophe Guibert de Bruet, 2022

In: Andreas J. Roquette/Tom Christopher Pröstler (Eds.), *International Construction Disputes – A Practitioner’s Guide*, C.H.Beck/Hart/Nomos, 2022, pp. 305-328

### **Possible claims against Russia for expropriation of foreign investments**

Matthias Scherer, Joachim Knoll, Lorraine de Germiny, Emilie McConaughy, 2022

Lalive Blog online, April 2022

### **Introduction to “Social License and Dispute Resolution in the Extractive Industries”**

Lorraine de Germiny, Joachim Knoll, 2021

Publisher: Brill | Nijhoff

### **Non-pecuniary remedies in international arbitration**

Michael E. Schneider, Joachim Knoll, 2020

LexisNexis, April 2020

### **Causation in International Investment Law: Putting Article 23.2 of the India Model BIT into Context**

Joachim Knoll, Tania Singla, 2020

Indian Journal of Arbitration Law, Vol. 8, Issue 2, pp. 83-96, January 2020

### **Commentary on Articles 52(2)-(4) of the ICSID Convention**

Laura Halonen, Joachim Knoll, 2019

In: Julien Fouret, Rémy Gerbay Gloria M. Alvarez with Denis Parchajev (Eds.) *The ICSID Convention, Regulations and Rules – A Practical Commentary*, Elgar Commentaries, 2019, pp. 663-680

### **The Amendments to the Indian Arbitration and Conciliation Act of 1996: A view from Abroad**

Joachim Knoll, Harshad Pathak, 2018

In: Indian Council of Arbitration (ICA) Quarterly (Oct-Dec Issue 2018)

### **Commentary on Articles 182 and 185 of the Swiss Private International Law Act**

Joachim Knoll, 2018

In: Manuel Arroyo (Ed.), *Arbitration in Switzerland – The Practitioner’s Guide: Commentary*, Wolters Kluwer, 2nd edition, 2018, pp. 133-156 and 186-191

### **How (not) to behave as Counsel in Arbitration – Practical tips and observations – Arbitrator’s point of view**

Joachim Knoll, 2015

In: Vanessa Foncke/Benoît Kohl (Eds.), *What Counsel in Arbitration can do, must do or must not do?* Cepani 40, bruyant, Brussels, 2015, pp. 129-134

### **Commentary on Article 45 of the Swiss Rules of International Arbitration**

Joachim Knoll, 2013

In: Tobias Zuberbühler, Christoph Müller, Philipp Habegger (Eds.), *Swiss Rules of International Arbitration*, Schulthess Verlag, Juris, 2nd ed. 2013, pp.484-492

## **Waivers of Recourse in International Arbitration – Where Switzerland and Tunisia Meet**

Joachim Knoll, 2012

International Journal of Arab Arbitration, Vol. 4, No. 4, 2012

## **The Search for ‘Truth’ in Arbitration – Is Finding the Truth what Dispute Resolution is About?**

Joachim Knoll, Marcus Wirth, Christina Jodidio, 2011

In: Juris, New York / ASA, Switzerland (Eds.), ASA Special Series No. 35

## **Non-Monetary Relief in International Arbitration: Principles and Arbitration Practice**

Michael E. Schneider, Joachim Knoll, 2011

In: Juris, New York / ASA, Switzerland (Eds.), ASA Performance as a Remedy, Chapter 1, ASA Special Series No. 30, pp. 3-48

## **Switzerland**

Joachim Knoll, Dominique Brown-Berset, Dominique Ritter, Isabelle Hering, Dirk Langer, 2010

Global Arbitration Review Reference, 2010-2012

## **Enforcement of Foreign Arbitral Awards against Sovereigns – Switzerland**

Michael E. Schneider, Joachim Knoll, 2009

In: Doak Bishop (Ed.), Enforcement of Arbitral Awards against Sovereigns, Juris Publishing, 2009

## **Notice Requirements in Cases of Hidden and Evolving Defects**

Matthias Scherer, Joachim Knoll, 2008

International Law Office, August 2008, Newsletter

## **Contract termination: Rights and obligations of employers and contractors**

Matthias Scherer, Joachim Knoll, 2008

Construction Law International, Vol. 3, No.2, June 2008, pp. 33-34

## **Owner's Defect Notice and Remedies in Case of Hidden Defects**

Matthias Scherer, Joachim Knoll, 2008

International Law Office, February 2008, Newsletter

## **Public Procurement in Construction Projects: Issues for Foreign Contractors**

Michael E. Schneider, Matthias Scherer, Joachim Knoll, 2007

International Law Office, November 2007, Newsletter

## **Standing of consortium members in consortium disputes with third parties**

Matthias Scherer, Joachim Knoll, 2007

International Law Office, 2007, Newsletter

## **Pricing of additional works**

Matthias Scherer, Joachim Knoll, 2007

International Law Office, 2007, Newsletter

## CONFERENCES

**University of Basel Law Faculty, Swiss Institute of Comparative Law, Basel Institute on Governance, AC Competence Centre and The International Academy of Financial Crime Litigators**

Workshop on Legal Consequences of Corruption and Money Laundering in International Arbitration  
Basel, 9-10 January 2020

Speaker: Legal consequences of money laundering on an arbitral award in investment treaty arbitration

### **27<sup>th</sup> Croatian Arbitration Days**

International Conference  
Zagreb, 5 December 2019

Panellist: Attribution of Responsibility to States or State Enterprises

### **Le Café Des Arbitres (LCDA)**

Paris, 28 November 2019

Speaker: The Role of State Courts' Decisions in Investment Treaty Arbitration

### **International Energy Charter**

Investment Arbitration Masterclass  
Brussels, 4-7 November 2019

Speaker: Determination of damages, practical issues & methods of calculation

### **Corporate Parity**

5th Annual Global EPC Project Contract & Risk Management Conference  
London, 3-4 October 2019

Panellist: Contract Administration and Dispute Avoidance and Resolution from an International Contractor's Perspective

### **ICC Institute of World Business Law / School of International Arbitration – Queen Mary University**

34th Annual Joint Symposium of Arbitrators  
Paris, 14 February 2019

Speaker: Grounds for revising an award: new facts, evidence or law

### **University of Basel, Faculty of Law**

International Arbitration and Corruption – A Toolkit for Arbitrators, Workshop  
Basel, 10 January 2019

Speaker: The arbitrator's duty to investigate – *sua sponte* – alleged or suspected corruption

### **University of Basel, Faculty of Law**

Arbitration and Crime Dealing with Allegations of Economic Crime in Arbitration  
Basel, 12 January 2018

Speaker: The effects of illegality during the performance of an investment

### **Indian Council of Arbitration / Federation of Indian Chambers of Commerce and Industry**

Arbitration in the Era of Globalization – The Second Edition  
New Delhi, 9 December 2017

Speaker: Arbitration: India and the Global Contours

### **Ukrainian Bar Association**

KIEV Arbitration Days 2016: Think Big!  
Kiev, 3 November 2016

Speaker: How to help the decision-maker reach the 'right' decision (and strategies in the context of tribunal-appointed experts)

## **Club Español del Arbitraje (CEA) Belgium**

EU law and arbitration

Brussels, 19 February 2016

Speaker: Conclusive remarks

## **Swiss Arbitration Association (ASA)**

Commercial Arbitration Involving States: Public Interests and Private Justice?

Zurich, 22 January 2016

Speaker: Setting the scene: Commercial Arbitration Involving States – Successes and Failures of the Process. The states' perspectives

## **Indian Council of Arbitration**

International Conference – Arbitration in the era of globalization

Delhi, 11-12 December 2015

Speaker: Best arbitration practices across borders

## **CEPANI40, The Belgian Center for Arbitration and Mediation**

What Counsel in Arbitration can do, must do or must not do?

Brussels, 20 October 2015

Speaker: How (not) to behave as counsel in arbitration - practical tips and observations: the arbitrator's point of view

## **International Bar Association (IBA) – International Construction Projects Committee**

2015 Annual Conference; Panel: See spot run: a construction lawyer's primer on the all-important ICC rules of arbitration

Vienna, 8 October 2015

Speaker: Joinder and Consolidation under the ICC Rules

## **Ghana Bar Association / American Bar Association's Section of International Law**

The Evolving Spectrum in Dispute Resolution Management

Accra, Ghana, 16-17 July 2015

Speaker: Procedural Issues in Arbitration – The Civil Law Perspective

Speaker: Introduction to Investment Arbitration

## **Swiss Arbitration Association (ASA)**

YUKOS – Understanding the legal, quantum and tax issues in a US\$ 50 billion award

Geneva, 28 May 2015

Speaker

## **Queen Mary University of London – Centre for Commercial Law Studies**

The Procedure of International Arbitration: How Effective are the Tools?

London, 22 April 2015

Speaker: Current and Preferred Practices in the Arbitral Process vs New Initiatives to Increase Efficiency and Reduce Costs

## **International Council for Commercial Arbitration (ICCA)**

Third Party Funding in Investment Arbitration

Frankfurt, 9 March 2015

Speaker: Representation of Host State in Mock Arbitration on Third-Party-Funding questions

## **Ministry of Finance of the Czech Republic / Price Waterhouse Coopers**

3rd Investment Treaty Arbitration Conference 2013. Investor versus State Settlement Cases: Winning Hands

Prague, 31 October 2013

Speaker: Successful defences of Respondent States

**Lisbon Chamber of Commerce Arbitration Center / APA sub 40**

The Powers of Arbitrators

Lisbon, 28 June 2013

Speaker: The Arbitrators' Powers

**Foundation for International Arbitration Advocacy (FIAA)**

Questioning of fact witnesses in international arbitration

Geneva, 19-20 April 2013

Faculty member

**Fordham Conference on International Arbitration and Mediation**

London, 27 April 2012

Speaker: Setting Aside Arbitral Awards – Switzerland

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## ACADEMIC POSITIONS

**Head lecturer and member of the Academic Council**

Swiss Arbitration Academy

Post-graduate course in arbitration (in cooperation with the University of Lucerne and the University of Neuchâtel), Geneva

2013-

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