

## Michael E. SCHNEIDER

Senior Counsel



### Zulassung

München (Deutschland),  
1970

Genf (als ausländischer  
Anwalt zugelassen)

### Staatsangehörigkeit

German

### Sprachen

Deutsch

Englisch, Französisch

Basic: Spanisch,  
Italienisch, Arabisch

### Tätigkeitsgebiete

Investitionsschiedsgerichtsbarkeit

Internationale Handelsschiedsgerichtsbarkeit

Völkerrecht

### Branchen

Bau- und Infrastrukturprojekte

Energie und Bergbau

Pharma- und Biotechnologie

Telekommunikation und Informationstechnik

tel: +41 58 105 2000

email: meschneider@lalive.law

Rue de la Mairie 35

PO Box 6569

1211 Genf 6 - Schweiz

## BIOGRAPHIE

Michael E. Schneider ist als Gründungspartner von LALIVE seit über 40 Jahren in der internationalen Schiedsgerichtsbarkeit als Parteienvertreter in Ad-hoc- sowie institutionellen Schiedsverfahren gemäss den wichtigsten Schiedsordnungen einschliesslich den Regeln der ICC, ICSID, LCIA, Swiss Rules, Stockholm Rules, CRCICA (Cairo Regional Centre for International Commercial Arbitration), DIAC (Dubai International Arbitration Centre), Europäischer Entwicklungsfonds, UNCITRAL sowie weiteren internationalen Institutionen, einschliesslich WTO-Berufungsgremium und Entschädigungskommission der Vereinten Nationen (UNCC) tätig. Ebenso ist er als Schiedsrichter (Vorsitzender, Einzel- oder Mitschiedsrichter) in Schiedsverfahren gemäss den Schiedsordnungen mehrerer Institutionen in der Schweiz und im Ausland tätig.

Michael Schneider hat einen besonderen Schwerpunkt in der Beratung in den Bereichen der Bauindustrie, dem Industrieingenieurwesen und im Zusammenhang mit Infrastrukturprojekten und Rohstoffen (Erdöl und Erdgas), in den Bereichen der Pharmaindustrie und Telekommunikation, sowie im Bereich der Investitionsschiedsgerichtsbarkeit. Michael Schneider hat langjährige Erfahrung in der Begleitung von komplexen Verfahren, in welcher er Expertenteams aus verschiedenen Bereichen und mit unterschiedlichem rechtlichem und kulturellem Hintergrund.

Als Vorsitzender der Swiss Arbitration Association (ASA) setzte er den Grundstein des seit 1997 jährlich stattfindenden „Arbitration Practice Seminar“, das das Ziel verfolgt, einen Austausch zwischen in der Schiedsgerichtsbarkeit tätigen Praktikern aus Rechtskreisen des Common Law und Civil law zu verstärken. Michael Schneider war bis 2014 stellvertretender Vorsitzender der ICC-Commission on Arbitration und beteiligte sich an einer Reihe von ICC-Arbeitsgruppen (Revisionen

der ICC-Regeln 1998 und 2012, Bauschiedsgerichtsbarkeit „Pre-Arbitral-Referee“). Er leitete ferner im Rahmen der Revision der UNCITRAL Schiedsordnung sowie der Revision der Notes on Organizing Arbitral Proceedings als Vorsitzender die UNCITRAL-Arbeitsgruppe II (Schiedsgerichtsbarkeit) an ihren regelmässigen Sitzungen in New York und Wien (2006 bis 2010) (2014/15). Michael Schneider ist Vice-Chair der Kommission. Ebenso ist er Mitglied des Kuratoriums des Cairo Regional Centre for International Commercial Arbitration (CRCICA) und Vorsitzender der International Academy of Construction Lawyers.

Daneben lehrt Michael Schneider als Dozent in einem LLM-Programm an der Universität Freiburg (Schweiz) und war zuvor als Studienleiter des Studien- und Forschungszentrums an der Haager Akademie für Völkerrecht auf dem Gebiet *Transnational Arbitration and State Contracts* tätig. Er studierte Jura und Geschichte an den Universitäten München, Bonn und Genf und legte das Erste und Zweite Staatsexamen ab (Zulassung zum Richteramt in Deutschland). Seine Postgraduiertenstudien absolvierte er am Hochschulinstitut für Internationale Studien und Entwicklung in Genf. Als AIESEC Praktikant arbeitete er für Shell in Sierra Leone.

---

## PUBLIKATIONEN

### **Интерактивные арбитры? Оптимистические предложения и культурный багаж.**

Michael E. Schneider, 2018

New Horizons of International Arbitration, A.V. Asoskov, A.I. Muranov, R.M. Khodykin (eds.), 2018, p. 216-236

### **Construction (Switzerland)**

Michael E. Schneider, Matthias Scherer, Bernd Ehle, Cédric Lenoir, 2017

In : Robert S Peckar (Contributing Ed.), Getting the Deal Through. Construction in 31 jurisdictions worldwide - 2017, Law Business Research Ltd, 2017

### **Internationales Bau- und Anlagengeschäft – vom Vertragsschluss bis zur Streiterledigung**

Michael E. Schneider, Bernd Ehle, 2015

In : Peter Münch/Nicolas Passadelis/Jens Lehne (éds.), *Handbuch Internationales Handels- und Wirtschaftsrecht*, Helbing Lichtenhahn, Bâle, 2015, p. 271-310

### **Construction (Switzerland)**

Michael E. Schneider, Matthias Scherer, Bernd Ehle, Samuel Moss, 2015

In : Robert S. Peckar and Michael S. Zicherman (Contributing éds.), *Getting the Deal Through: Construction in 26 jurisdictions worldwide – 2015*, Law Business Research Ltd, 2015, p. 120-124

### **Hommage à Pierre Lalive (1923-2014) : un (trop bref) regard sur la carrière d'un juriste hors normes**

Michael E. Schneider, Teresa Giovannini, Jean-Paul Vulliétty, 2015

B-Arbitra – Revue belge de l'Arbitrage, 2015/1, p. 17-39

### **The Role of Iraq in the UNCC Process with Special Emphasis on the Environmental Claims**

Michael E. Schneider, 2015

In : Timothy J. Feighery, Christopher S. Gibson, Trevor M. Rajah (éds.), *War Reparations and the UN Compensation Commission-Designing Compensation After Conflict*, Oxford, 2015, p. 135-184

### **The Role of the State in Investor-State Arbitration – Introductory Remarks**

Michael E. Schneider, 2015

In : Shaheez Lalani and Rodrigo Polanco Lazo (éds.), *The Role of the State in Investor-State Arbitration*, BRILL, NIJHOFF, Volume 3, p. 1-13

## **Investment Disputes – Moving Beyond Arbitration**

Michael E. Schneider, 2014

In : Laurence Boisson de Chazournes, Marcello G. Kohen, Jorge E. Viñuales (éds.), *Diplomatic and Judicial Means of Dispute Settlement*, Brill, 2013, p. 119-151

## **Construction (Switzerland)**

Michael E. Schneider, Matthias Scherer, Bernd Ehle, Samuel Moss, 2014

In : Robert S Peckar (éd.), *Getting the Deal Through. Construction in 31 jurisdictions worldwide - 2014*, Law Business Research Ltd, 2014, p. 156-161

## **Welcome Address and Introduction to the Conference Topic**

Michael E. Schneider, 2014

In : Berndhard Berger & Michael E. Schneider (éds) *Inside the Black Box: How Arbitral Tribunals Operate and Reach Their Decisions*, Juris, 2014, ASA Special Series N° 42, p. 3-5

## **Assistance to the Tribunal: Options, Advantages and Dangers**

Michael E. Schneider, 2014

In : Berndhard Berger & Michael E. Schneider (éds) *Inside the Black Box: How Arbitral Tribunals Operate and Reach Their Decisions*, Juris, 2014, ASA Special Series N° 42, p. 73-76

## **Commentary on Article 182 and 184 of the Swiss Private International Law Act (arbitration procedure)**

Michael E. Schneider, Matthias Scherer, 2013

In : Honsell/Vogt/Schnyder/Berti (éds.), *Das Internationale Privatrecht (Basler Kommentar)*, Helbing & Lichtenhahn, Bâle, 2013, p.1822-1861, p.1870-1896 respectivement

## **Construction (Qatar)**

Georges Racine, Ramy Saleh, Marcus C. Boeglin, Stefan Jury, Melina Llodra, Matthias Scherer, Michael E. Schneider, 2012

In : David S. Peckard (éd.), *Getting the Deal Through - Construction 2013*, Law Business Research Ltd, Londres, 2012, p. 165-169

## **Twenty-four Theses about Witness Testimony in International Arbitration and Cross-Examination Unbound**

Michael E. Schneider, 2011

In : Wirth, Rouvinez, Knoll (éds.), *The Search for "Truth" in Arbitration: Is Finding the Truth What Dispute Resolution Is About?* Chapitre 5, ASA Special Series N° 35, p. 63-69

## **The revision of the UNCITRAL Arbitration Rules: Some observations on the process and the results**

Michael E. Schneider, 2011

Les Cahiers de l'Arbitrage 2011-4, p. 1-35

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

Michael E. Schneider, Joachim Knoll, 2011

In : Juris, New York / ASA, Suisse (éds.), *ASA Performance as a Remedy*, Chapitre 1, ASA Special Series N° 30, p. 3-48

## **The Essential Guidelines for the Preparation of Guidelines, Directives, Notes, Protocols and other Methods Intended to Help International Arbitration Practitioners to Avoid the Need for Independent Thinking and to Promote the Transformation of Errors into "Best Practices"**

Michael E. Schneider, 2011

In : *Liber Amicorum en l'honneur de Serge Lazareff*, sous la direction de Laurent Lévy et Yves Derain, 2011, Editions A. Pedone, p. 563-567

## **The Paper Tsunami in International Arbitration Problems, Risks for the Arbitrators' Decision Making And Possible Solutions**

Michael E. Schneider, 2009

In : Teresa Giovannini and Alexis Moure (éds.), *Written Evidence and Discovery in International Arbitration New Issues and Tendencies*, 2009, Editions Dossiers ICC Institute of World Business Law, Chapitre 9, p. 365-371

## **A civil law perspective: Forget e-discovery**

Michael E. Schneider, 2008

In : David J. Howell (éd.), *Electronic disclosure in international arbitration*, JurisNet, LLC, New York, 2008, p. 13-37

## **Combining Swiss arbitration with English enforcement - A powerful tool**

Michael E. Schneider, Matthias Scherer, Bernd Ehle, 2007

Chambers Client Report, 2007, N° 22, p. 39

## **International construction contracts under Swiss law: An introduction**

Matthias Scherer, Michael E. Schneider, 2007

Construction Law Journal, 2007, vol. 23, N° 8, p. 559-569

## **ITC contractual joint venture model agreements**

Michael E. Schneider, 2004

(en collaboration avec Dr. Arthur E. Appleton, Luigi Capucci, Dr. Philippe Gilliéron, Christophe Léchaud et Jonathan Curci Staffler) Genève, ITC Trade Law Series, CNUCED/OMC, Genève, 2004, 107 pages, ISBN 92-9137-266-8

## **How fair and efficient is the UNCC system? A model to emulate?**

Michael E. Schneider, 1998

Journal of International Arbitration, 1998, Vol. 15, pp. 15-26

## **Towards more cost-effective arbitration**

Michael E. Schneider, 1998

IBA Arbitration and ADR, 1998, vol. 3, p. 26-33

## **Dispute resolution in international electronic commerce**

Michael E. Schneider, 1997

(en collaboration avec Christopher Kuner) Journal of International Arbitration, 1997, vol. 14, no 3, p. 5-37

## **Combining arbitration and conciliation**

Michael E. Schneider, 1996

Rapport de la Conférence de Seoul (Conseil international pour l'arbitrage commercial), ICCA Congress Series, n° 8, 1996, p. 57-99

## **Streitbeilegung auf dem Information Highway - Problematik und Lösungsansätze**

Michael E. Schneider, 1996

In : Reto M. Hilty (éd.), *Information Highway*, Stämpfli, Berne, 1996, p. 625-660

## **Arbitration of construction disputes**

Michael E. Schneider, 1995

Contracts and Dispute Settlement in Civil Engineering and Construction of Plants, 1995, vol. 4, p. 187-244

## **Lean arbitration: Cost control and efficiency through progressive identification of issues and separate pricing of arbitration services**

Michael E. Schneider, 1994

Arbitration International, 1994, vol. 10, n° 2, p. 119-140

## **Major construction cases**

Michael E. Schneider, 1994

In : Scott (éd.), *The Reform of Commercial Arbitration Procedures*, Londres, LCIA, 1994, p. 157-181

## **International organizations and private persons: The case for a direct application of international law**

Michael E. Schneider, 1993

In : Dominice/Patry/Reymond (éds.), *Etudes de Droit international en l'honneur de Pierre Lalive*, Bâle, Helbing & Lichtenhahn, 1993, p. 345-358

## **Mastering the interfaces - Construction contracts drafting for dispute avoidance**

Michael E. Schneider, 1993

The International Construction Law Review, 1993, vol. 10, p. 403-424

## **Technical experts in international arbitration, introductory comments to the materials from arbitration practice**

Michael E. Schneider, 1993

ASA Bull. 3/1993, vol. 11, p. 446-465

## **Multi-foa disputes**

Michael E. Schneider, 1990

Arbitration International, 1990, Vol. 6, n°2, p. 101-121

## **The new Swiss law on international arbitration**

Michael E. Schneider, 1989

(en collaboration avec Paolo Michele Patocchi) *Arbitration, the Journal of the Chartered Institute of Arbitrators*, 1989, vol. 55, p. 268-280

## **Turnkey contracts - Concepts, liabilities, claims**

Michael E. Schneider, 1986

The International Construction Law Review, 1986, vol. 3, p. 338-359

---

## KONFERENZEN

### **Russian Arbitration Day 2018**

Procedural Issues in International Arbitration

Moscow, 30 March 2018

Speaker: Interactive Arbitrators? Optimistic Proposals and Cultural Baggage.

### **The Cairo Regional Centre for International Commercial Arbitration (CRCICA)**

The Belt and Road Initiative Economic Legal Landscape and dispute Settlement

Cairo, 12 December 2017

Speaker: The Belt and Road Initiative

### **IBA Arbitration 40 Subcommittee**

IBA's Toolkit for Award Writing

Cairo, 11 December 2017

Speaker: Question and Answer Session

## **Young ICCA workshop**

IBA's Toolkit for Award Writing

Cairo, 11 December 2017

Speaker: Key note address on Procedural Tactics and Strategies

## **The Cairo Regional Centre for International Commercial Arbitration (CRCICA)**

Celebrating the 50th Anniversary of UNCITRAL – Global Inclusion and Dispute Resolution: Harmonization Trends in International Arbitration

Cairo, 9-10 December 2017

Speaker: The Modernizing Role of UNCITRAL Texts

## **Associazione Italiana per l'Arbitrato (IAI)**

L'Arbitro Profili e internazionali

Rome, 6 December 2017

Speaker: La missione e la responsabilità dell'arbitro

## **Dutch Arbitration Association (DAA)**

Fifth anniversary edition of the Dutch Arbitration Day – Advocacy and Evidence

Amsterdam, 14 September 2017

Speaker: Capitalizing of arbitration's potential in respect of advocacy and evidence

## **Institute for Transnational Arbitration (ITA)**

Challenges to the Legitimacy of International Arbitration - 29th ITA Workshop and Annual Meeting

Plano, Texas (Dallas), 15 June 2017

Speaker: Legitimacy Of The Decision-Makers (Part 1)

## **Swiss Arbitration Academy**

Graduation Ceremony 2016-2017

Geneva, 4 May 2017

Speaker: Current issues in international arbitration – keynote speech

## **Global Arbitration Review**

2nd Annual GAR LIVE Abu Dhabi Conference

Abu Dhabi, 22 February 2017

President / Moderator: GAR LIVE Question Time – The Gulf Region: A legal melting pot or a clash of legal cultures?

## **Columbia University NY – Columbia Center for International Commercial and Investment Arbitration**

Where public meets private: International law and the dynamic interpretation of treaties in the context of the draft UNCITRAL Rules on Transparency

New York, 5 February 2013

Speaker: The provisions of the Standard concerning its scope of application

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

Inside the black box: How arbitral tribunals operate and reach their decisions

Zurich, 1 February 2013

Moderator: Assistance to the Tribunal: options, advantages and dangers

## **Ministry of Foreign Affairs of Belarus / International University "MITSO" / UNCTAD / UNCITRAL / ICSID**

Investment Dispute Settlement Workshop

Minks, Belarus, 19-20 November 2012

Speaker (with J Salasky): Trends in investment arbitration / A brief overview on the UNCITRAL Arbitration Rules / The project of developing rules on transparency in treaty-based investor-State arbitration



## **Global Arbitration Review**

3rd Annual GAR LIVE London

London, 8 November 2012

Co-chair: How to make International Arbitration work better?

## **SAA Swedish Arbitration Association**

Swedish Arbitration Days: The Challenge of Taking Evidence in International Arbitration

Stockholm, 13-14 September 2012

Moderator: Witnesses of Fact

## **ABA American Bar Association – Section of International Law – Dispute Resolution/Litigation**

Spring Meeting 2012

New York, 17-21 April 2012

Speaker: Ethics Guidelines for International Arbitration: Room for Debate

## **United Nations commission on International Trade Law (UNCITRAL) and the International Arbitral Centre of the Austrian Federal Economic Chamber VIAC**

VIAC - UNCITRAL 2012 Conference

Vienna, 29-30 March 2012

Speaker: Travaux préparatoires, enactments and case law on interim Measures and preliminary orders

Chair of Session / Moderator: Issues regarding the role of arbitral institutions acting under the UNCITRAL Arbitration Rules

## **University of Oslo - Faculty of Law - APA project (Arbitration and Party Autonomy)**

The impact of the applicable law on the interpretation of contracts - Arbitration and the not unlimited party autonomy

Oslo, 21-22 November 2011

Panellist: Does international arbitration assume that contracts are written on their own terms or as an interplay with the applicable law? - Panellist: The impact of intellectual property rules and of the arbitrability on the enforceability of arbitral awards

## **Chartered Institute of Arbitrators (CIArb)**

The Costs of International Arbitration Conference

London, 27- 28 September 2011

Speaker: Evidence - how costs can be reduced

## **International Chamber of Commerce - ICC**

6<sup>th</sup> Annual ICC New York Conference: the new ICC Rules of Arbitration

New York, 19-20 September 2011

Speaker: General Provisions

## **Arbitration Academy**

International Arbitration Special Summer Course 2011

Paris, 18-22 July 2011

Lecturer: Evidence and the Use of Experts in International Arbitration

## **Fordham University New York**

6th Annual Conference on International Arbitration and Mediation

New York, 14-15 June 2011

Speaker: The New Rules of International Arbitration: Practical and Analytical Issues: The 2010 Revised UNCITRAL Arbitration Rules

## **Istanbul Chamber of Commerce (ICOC)**

UNCITRAL Arbitration Rules 2010

Istanbul, 31 May 2011

Speaker: Introductory Rules and Composition of the Arbitral Tribunal (Arts 1-16)

## **International Arbitral Centre of the Austrian Federal Economic Chamber (VIAC)**

VIAC-UNCITRAL 2011 Conference

Vienna, 14-15 April 2011

Speaker: Transparency in investment arbitration: Questions regarding the content of a legal standard on transparency; Legal theory of international arbitration: The revised UNCITRAL Arbitration Rules in practice

## **Dubai International Arbitration Centre (DIAC)**

DIAC 4th Arbitration Dialogue

Paris, 16 November 2010

Member of the DIAC Executive Committee and moderator

## **International Chamber of Commerce (ICC)**

Arbitral Awards

Dubai, 19-20 October 2010

Speaker: Arbitral case-law

## **American Bar Association (ABA) / New York City Bar**

From Revisions to Reform? Roundtable Discussion on Revising the 1976 UNCITRAL Arbitration Rules to Meet New Demands

New York, 3 February 2010

Speaker as Chairman of the UNCITRAL Working Group

## **International Bar Association (IBA) - SERIL - International construction projects committee**

Time and acceleration issues affecting international construction contracts

Madrid, 7 October 2009

Speaker: Delay in civil law

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

L'arbitrage international au bord du Léman: hier, aujourd'hui, demain

Geneva, 8 May 2009

Speaker: L'évolution de l'arbitrage en général depuis une trentaine d'années

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

The Search for the "Truth" in Arbitration – Is Finding the Truth what Dispute Resolution is About?

Zurich, 6 February 2009

Speaker: Cross-examination – How helpful is it for finding the "Truth"?

## **Geneva Bar Association (Foreign Lawyers' Section)**

Anti-Money Laundering Regulations and Legal Practice

Geneva, 19 November 2008

Co-organizer and Chair

## **International Bar Association (IBA)**

International Construction Projects (ICP) Committee annual conference

Buenos Aires, 12-17 October 2008

Speaker: Termination of construction contracts and completion of the works by replacement contractors & Report of the ICP session on Adopted Projects on recent developments in the Swiss Alptransit Project

## **13th Geneva Global Arbitration Forum**

The Rise of international arbitration in the Gulf States

Geneva, 5-6 December 2007

Speaker: Adapting the legal environment in the United Arab Emirates: acceding to the New York Convention, adopting a modern arbitration law, informing the State Court Judges



# LALIVE

---

**Istanbul Chamber of Commerce (ICOC), Association of the Mediterranean Chambers of Commerce and Industry (ASCAME)**

The Revision and Modernization of the UNCITRAL Arbitration Rules

Istanbul, 30 November 2007

Speaker: Revision of Section III of the Regulation on the arbitration

**ICDR Young and International Conference**

How to tailor arbitrations to fit the individual case

Paris, 17 November 2007

Speaker: Thinking Outside the Box

**Dubai International Arbitration Centre (DIAC), Association of International Petroleum Negotiators (AIPN), Dubai Chamber of Commerce and Industry**

Dispute Resolution in International Oil and Gas Contracts

Dubai, 13-14 November 2006

Moderator

**International Bar Association (IBA)**

Annual Conference

Prague, 25-30 September 2005

Speaker: Use of Independent Experts in Arbitration

---

## LEHRTÄTIGKEITEN

**Lecturer**

Fribourg University School of Law, Master of Laws (LL.M.) in Cross-Cultural Business Practice  
International Construction Contracts (including dispute resolution) / International Joint Ventures  
2011-

**Director of Studies**

Center for Studies and Research in International Law and International Relations at The Hague Academy  
of International Law  
1987

**Consultant**

Geneva Law School and Graduate Institute of International Studies, Geneva  
1987

---