

**Michael E. SCHNEIDER**
Partner

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Admission

Munich (Germany), 1970
Geneva (foreign lawyer)

Nationality

German

Languages

German
French, English,
Spanish, Italian
Arabic

Areas of practice

International Arbitration
Construction & Engineering Contracts and Public
Procurement
Public International Law and International Trade &
Investment Law
International Commercial Contracts

Michael E. Schneider is a founding partner of LALIVE. He has practised in international arbitration for more than 35 years as counsel in *ad hoc* proceedings and under various rules, including those of the ICC, ICSID, Swiss Rules, Stockholm Institute, the Cairo Regional Centre for International Commercial Arbitration (CRCICA), European Development Fund, UNCITRAL, and before other international bodies, including the WTO Appellate Body and the United Nations Compensation Commission. He has also acted as arbitrator (chair, sole or co-arbitrator) under the rules of many institutions both in Switzerland and abroad. He is listed on the panels of arbitrators of the Swiss national committee of the ICC.

Michael E. Schneider's main areas of practice are disputes involving States and multinational corporations in construction, industrial engineering and infrastructure projects, natural resources (in particular oil and gas), pharmaceuticals and telecommunications. He has specific experience in managing large and complex disputes, organising and leading teams of specialists from different fields and different legal and cultural backgrounds.

Michael E. Schneider is president of the Swiss Arbitration Association (ASA). He is also the vice chair of the ICC Commission on Arbitration, and has been a member of several of its working groups (1998 and 2009 revisions of the ICC rules, construction, pre-arbitral referee). He has been chairing the UNCITRAL WG II (Arbitration) on the revision of the Arbitration Rules since 2006 and is a member of the executive committee of the Dubai International Arbitration Centre (DIAC).

The academic assignments of Michael E. Schneider include Director of Studies at the Centre for Studies and Research at the Hague Academy of International Law (Transnational Arbitration and State Contracts). He graduated from the Graduate Institute of International Studies in Geneva and is a former AIESEC trainee with the Shell Company in Sierra Leone. Michael E. Schneider studied law and history at the universities of Munich, Bonn and Geneva.

Publications

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

Michael E. Schneider, 2011

In: Wirth, Rouvinez, Knoll (Eds.), *The Search for "Truth" in Arbitration: Is Finding the Truth What Dispute Resolution Is About?* Chapter 5, ASA Special Series No. 35, pp. 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, pp. 1-35

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

Michael E. Schneider, Matthias Scherer, Samuel Moss, Nathalie Bigler, 2010

In: Robert S Peckar (Ed.), *Getting the Deal Through - Construction 2011 in 35 jurisdictions worldwide*, 2010, *Getting the Deal Through*, pp. 178-183

Court considers owner's right to substitute contractors

Michael E. Schneider, Nathalie Bigler, 2009

International Law Office, 2009,

Qatar

Marcus C. Boeglin, Michael E. Schneider, 2009

In: Robert S Peckar (Ed.), *Getting the Deal Through - Construction 2010 in 34 jurisdictions worldwide*, 2009, *Getting the Deal Through*, 2010, pp. 128-132

Switzerland

Matthias Scherer, Michael E. Schneider, Nathalie Bigler, 2009

In: Robert S Peckar (Ed.), *Getting the Deal Through - Construction 2010 in 34 jurisdictions worldwide*, 2009, *Getting the Deal Through*, pp. 161-165

A civil law perspective: Forget e-discovery

Michael E. Schneider, 2008

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

Combining Swiss arbitration with English enforcement - A powerful tool

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

In: *Chambers Client Report*, 2007, Issue 22, p. 39

International construction contracts under Swiss law: An introduction

Matthias Scherer, Michael E. Schneider, 2007

Construction Law Journal 2007, Vol. 23, No. 8, pp. 559-569

Switzerland

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

In: Robert S Peckar (Ed.), *Getting the Deal Through - Construction 2008 in 21 jurisdictions worldwide*, 2007, *Getting the Deal Through*, pp. 106-112

International construction contracts under Swiss law: An outline

Matthias Scherer, Michael E. Schneider, 2006

International Law Office, 2006, Newsletter, <http://www.internationallawoffice.com>

Incorporated Joint Ventures Model Agreement

Jean-Paul Vulli  ty, Michael E. Schneider, 2005

Publi   sous les auspices du Centre du commerce international (OMC/CNUCED), Geneva, 2005

An analysis of international construction contracts: Switzerland

Matthias Scherer, Michael E. Schneider, 2005

In: Knutson (Ed.), *FIDIC - An Analysis of International Construction Contracts*, Kluwer Law, The Hague, 2005, pp. 313-342**ITC incorporated joint venture model agreements**

Michael E. Schneider, Hewitt Ian, Olsburgh Carolyn, Rabab Yasseen, 2005

Geneva, ITC Trade Law Series, UNCTAD/WTO, 2005, 129 pages, ISBN 92-9137-302-8

ITC contractual joint venture model agreements

Michael E. Schneider, Carolyn Olsburgh, Yasseen Rabab, 2004

(in collaboration with Dr. Arthur E. Appleton, Luigi Capucci, Dr. Philippe Gilli  ron, Christophe L  chaud and Jonathan Curci Staffler) Geneva, ITC Trade Law Series, UNCTAD/WTO, Geneva, 2004, 107 pages, ISBN 92-9137-266-8

Commentary on articles 182 (arbitration procedure) and 184 (evidence) of the Swiss act on private international law

Michael E. Schneider, 2000

In: Honsell/Vogt/Schnyder (Eds.), *Das Internationale Privatrecht (Basler Kommentar)*, Helbing & Lichtenhahn, Basle, 1996 (English Edition 2000)**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

(in collaboration with David Lord Hacking) IBA Arbitration and ADR, 1998, Vol. 3, pp. 26-33

Dispute resolution in international electronic commerce

Michael E. Schneider, 1997

(in collaboration with Christopher Kuner) Journal of International Arbitration, 1997, Vol. 14, No. 3, pp. 5-37

Combining arbitration and conciliation

Michael E. Schneider, 1996

Report at the Seoul Conference of the International Council for Commercial Arbitration, ICCA Congress Series, No. 8, 1996, pp. 57-99

Streitbeilegung auf dem Information Highway - Problematik und L  sungsans  tze

Michael E. Schneider, 1996

In: Reto M. Hilty (Ed.), *Information Highway*, St  mpfli, Bern, 1996, pp. 625-660**Arbitration of construction disputes**

Michael E. Schneider, 1995

Contracts and Dispute Settlement in Civil Engineering and Construction of Plants, 1995, Vol. 4, pp. 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, No. 2, pp. 119-140

Major construction cases

Michael E. Schneider, 1994

In: Scott (Ed.), *The Reform of Commercial Arbitration Procedures*, London, LCIA, 1994, pp. 157-181

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

Michael E. Schneider, 1993

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

Mastering the interfaces - Construction contracts drafting for dispute avoidance

Michael E. Schneider, 1993

The International Construction Law Review, 1993, Vol. 10, pp. 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, pp. 446-465

Multi-foa disputes

Michael E. Schneider, 1990

Arbitration International, 1990, Vol. 6, No. 2, pp. 101-121

The new Swiss law on international arbitration

Michael E. Schneider, 1989

(in collaboration with Paolo Michele Patocchi) Arbitration, the Journal of the Chartered Institute of Arbitrators, 1989, Vol. 55, pp. 268-280

Turnkey contracts - Concepts, liabilities, claims

Michael E. Schneider, 1986

The International Construction Law Review, 1986, Vol. 3, pp. 338-359

Conferences

UNCITRAL – IAI (International Arbitration Institute)

UNCITRAL-IAI one-day Roundtable

Paris, 21 April 2012

Speaker: Reflexions on possible future works that may be undertaken by the UNCITRAL Working Group on Arbitration

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

The Geneva Chapter of The Alumni Association and the Alumni Office of the Graduate Institute

A Career in International Law

Geneva, 23 February 2012

Speaker

Université de Fribourg (jointly with the Universities of Berne and Neuchatel)

Master of Laws in Cross-Cultural Business Practice

Geneva, 21-22 February 2012

Bernd Ehle, Michael E. Schneider

Lecturers: International Construction Contracts

Fribourg University Law School (jointly with the Universities of Berne and Neuchatel)

Master of Laws in Cross-Cultural Business Practice

Geneva, 24 November 2011

Michael E. Schneider, Melina Llodra

Lecturers: International Agency and Distributorship Agreements

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

Fribourg University Law School (jointly with the Universities of Berne and Neuchatel)

Master of Laws in Cross-Cultural Business Practice

Geneva, 10 November 2011

Michael E. Schneider, Melina Llodra

Lecturers: International Joint Ventures

Chartered Institute of Arbitrators (CI Arb)

The Costs of International Arbitration Conference

London, 27- 28 September 2011

Speaker/Moderator: Evidence - how costs can be reduced

International Chamber of Commerce - ICC6th 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

Faculty member: 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

C.H. Beck - DIS Petersberger Schiedstage 2011

Schiedsgerichtsbarkeit und Insolvenz

Bonn, 25-26 February 2011

Speaker: dinner speech

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 – The Swiss example

Swiss Arbitration Association (ASA) Geneva Grop

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

American Bar Association (ABA)

Roundtable discussion on the revision of the UNCITRAL Rules

New York, 12 February 2009

Speaker on the status of the revision of the UNCITRAL Rules, the recent developments and the remaining challenges to complete the revision of the Rules

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

PMG Group of consulting engineers

25th anniversary

Lausanne, 24 October 2008

Speaker: The tribunal's expert: assisting the arbitrators or replacing them?

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 State Court Judges

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

Chair

International Bar Association (IBA)

Annual Conference

Prague, 25-30 September 2005

Speaker: Use of independent experts in arbitration

Academic Positions

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
