
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Herman VERBIST
Everest Attorneys
Ghent
Belgium



Nationality: Belgium

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Graduate law studies at the University of Louvain (K.U.L.), Belgium, 1982.

Postgraduate law studies in German law (at the Eberhard Karls University of Tübingen and at the Court of Appeal in Düsseldorf) with DAAD Scholarship (1982-1983).

Postgraduate law studies in English law (at King's College, London) with British Council Scholarship (1986).

Mediator training course (at the Brussels Business Mediation Center), 24-30 August 2000.

Postgraduate course on Energy law, Institute for Environmental and Energy law, University of Louvain (K.U.L.), February-May 2001.

Doctorate in law at the University of Ghent, Belgium, 2008.

Subject of doctoral thesis: "De rechtsbescherming van partijen in privaatrechtelijke handelsarbitrage" (The legal protection of parties in commercial arbitration under private law).

Consultant to the International Trade Centre UNCTAD/WTO, Geneva, since 1998.

Accredited Mediator, Belgian Federal Mediation Commission, since 2008.

Member of the Scientific Committee of the Center for Arbitration in the field of Sexual Abuse, Brussels, March 2012-April 2017.

Member of a panel of experts-advisors of the Minister of Justice during the preparation of the new Belgian arbitration law, April-May 2013.

Chairman of the arbitrators of the Belgian Court of Arbitration for Sports, Brussels, April 2016-December 2020.

décembre 8, 2020

Secretary of DACABI (Dispute Avoidance, Conciliation and Adjudication Board Institute), United Kingdom, since 2020.

Vice-Chairman of Forum for International Conciliation and Arbitration (FICA), an international think of arbitrators and mediators, United Kingdom, since 2020.

Online course "Case Study Investor-State Mediation", teaching students an alternative method for settling investor-state disputes on the basis of a practical case, in the Master Programm Study Unit "International Dispute Resolution / Case Studies" at the Europa-Institut Saarland University, Saarbrücken, 25-29 May 2020.

Accredited Third Party Binding Decider, Brussels Bar, since 2020.

Accredited Collaborative Lawyer, Association of Flemish Bars, Belgium, since 2020.

LANGUAGES

Dutch, English, French and German
Spanish (Basic Knowledge).

PRESENT POSITION

Attorney-at-law, member of the Ghent Bar and of the Brussels Bar.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Counsel at the International Court of Arbitration of the International Chamber of Commerce (ICC) in Paris, 1988-1996.

Visiting Professor at University of Ghent, Belgium, lecturing the course on international commercial arbitration, 1996-2013.

MEMBERSHIP IN PROFESSIONAL BODIES

Member of the Ghent Bar and of the Brussels Bar.

European Lawyers Association, Brussels.

International Bar Association, London.

ICC Belgium.

ICC Commission on Arbitration and ADR.

ICC Commission on Commercial Law and Practice.

ICC Institute of World Business Law, associate member.

Deutsche Institution für Schiedsgerichtsbarkeit.

Comité Français de l'Arbitrage.

Association Suisse de l'Arbitrage.

London Court of International Arbitration.

American Arbitration Association.

ICCA - International Council for Commercial Arbitration.

DIFC / LCIA Arbitration Centre, Users' Council, Dubai.

Registered as arbitrator on the list of arbitrators of numerous international arbitration institutions (incl. AAA, VIAC, SIAC, HKIAC, KCAB, AIAC, THAC).

Registered as mediator on the list of mediators of numerous international mediation institutions (incl. CAREN, Lille, France; Mediation and Conciliation Network (MCN), New Delhi, India; Energy Community Dispute Resolution Panel of Mediators, Vienna, Austria).

Registered on the "*Panel of Conciliators*", International Centre for Settlement of Investment Disputes (ICSID), Washington, D.C., United States, since April 2016, designated by the government of Belgium.

Registered on the "*Panel of Transit Conciliators*", International Energy Charter Treaty, Conflict Resolution Centre, Brussels, Belgium, since December 2018, designated by Belgium.

AREAS OF SPECIALIZATION

Civil Law;
Common Law;
General Principles of Law;
Commercial law: Sales, Agency, Distribution, Joint Ventures, Competition;
Corporate law / M & A.;
Intellectual Property, Pharmaceutical law;
Construction law;
Energy law;
Sports law.

EXPERIENCE IN INTELLECTUAL PROPERTY

Party appointed co-arbitrator in an international CEPANI arbitration in Belgium between Swedish parties and a Belgian and a German party relating to the sale of intellectual property.

Co-counsel of a Belgian party in an international ICC arbitration relating to a license agreement for pharmaceutical products.

Appointment as expert by a German Court in order to give an expert opinion on the matter of the interpretation of an arbitration agreement in a procedure between a Belgian and a German party in an intellectual property dispute.

Sole mediator in a mediation under the WIPO Mediation Rules between the members of an international consortium of universities and research institutions on a project financed by the European Union

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Co-Panelist in a WIPO Domain Name Dispute.
Single Panelist in a WIPO Domain Name Dispute.

MAJOR PUBLICATIONS

“*Arbitration and alternative dispute resolution – How to settle international business disputes*”, (co-author with Jean-François Bourque and Christophe Imhoos), International Trade Centre UNCTAD/WTO, Geneva, 2001, 266 pages, ISBN 92-9137-172-6.

“*L’arbitrage de la Chambre de Commerce Internationale (CCI) en pratique*” (A commentary on the ICC Rules of Arbitration in French language), (co-author with Erik Schäfer and Christophe Imhoos), Stämpfli, Bern and Bruylant, Brussels, 2002, 357 pages, ISBN 3-7272-9971-1.

“Results of the Survey Regarding Arbitration and ADR in Cooperation with Committee D” (co-author with Johan Erauw), *Tijdschrift@ipr.be - Revue@dipr.be*, Private International Law Institute of Ghent University, 2003, Nr. 1, 83-100.

“Drafting Awards in ICC Arbitrations” (co-author with Humphrey Lloyd, Marco Darmon, Jean-Pierre Ancel, Lord Dervaird and Christoph Liebscher), *ICC International Court of Arbitration Bulletin*, Paris, Vol. 16/ N°2, 2005, 19-40.

“La rédaction des sentences dans le cadre d’arbitrages selon le règlement de la CCI” (co-author with Marco Darmon, Humphrey Lloyd, Jean-Pierre Ancel, Lord Dervaird and Christoph Liebscher), *Bulletin de la Cour internationale d’arbitrage de la CCI*, Paris, Vol. 16/ N°2, 2005, 21-44.

“*ICC Arbitration in Practice*”, (co-author with Erik Schäfer and Christophe Imhoos), Kluwer Law International, The Hague and Stämpfli, Bern, 2005, 379 pages, ISBN 90-411-2308-3.

“Challenges on Grounds of Due Process pursuant to Article V(1)(b) of the New York Convention”, in *Enforcement of Arbitration Agreements and International Arbitral Awards – the New York Convention in Practice*, E. Gaillard and D. Di Pietro (Editors), London, Cameron May, 2008, 679-728.

“Investment arbitration under public scrutiny and the new European competence in the field”, *Tijdschrift@ipr.be - Revue@dipr.be*, Private International Law Institute of Ghent University, 2010, Nr. 4, December 2010, 154-163.

“The Methanex Arbitration – The Elaboration of a Legal Standard on Transparency in Treaty-based Investor-State Arbitration”, in *The Practice of Arbitration – Essays in Honour of Hans van Houtte*, P. Wautelet, T. Kruger and G. Coppens (Editors), Oxford, Hart Publishing, 2012, 279-294.

“Belgium – Country Answer” (co-author with Luc Demeyere, Olivier Caprasse and Dirk De Meulemeester), in *ICC Guide to National Procedures for Recognition and Enforcement of Awards under the New York Convention*, ICC International Court of Arbitration Bulletin, 2012 Special Supplement, Paris, 2013, 74-77.

“Transparency in Treaty Based Investor-State Arbitration – The Draft UNCITRAL Rules on Transparency”, *Tijdschrift@ipr.be - Revue@dipr.be*, Private International Law Institute of Ghent University, 2013, Nr. 2, 73-98.

“New Belgian Arbitration Law of 24 June 2013 and New CEPANI Arbitration Rules of 1 January 2013”, *Journal of International Arbitration*, The Hague, Vol. 30/N° 5, October 2013, 597-618.

“Multiparty and Multicontract Arbitration under the 2013 CEPANI Arbitration Rules”, *Vindobona Journal*, 2013, Vol. 17/Nr. 2, 299-322.

“*Arbitrage in de Praktijk, Op basis van het CEPANI-Arbitragereglement van 1 januari 2013 met verwijzingen naar deel VI van het Gerechtelijk Wetboek*”, (co-author with Dirk De Meulemeester), Bruylant, Brussels, 2013, 498 pages, ISBN 978-2-8027-4029-2.

“The 2014 ICC Mediation Rules”, in W. Ebke, D. Olzen and O. Sandrock (Editors), *Festschrift für Siegfried Eising zum 65. Geburtstag*, Frankfurt-am-Main, Verlag Recht und Wirtschaft, 2015, 591-608.

“*ICC Arbitration in Practice*”, *Second Revised Edition*, (co-author with Erik Schäfer and Christophe Imhoos), Kluwer Law International, Alphen aan den Rijn and Stämpfli, Bern, 2016, 606 pages, ISBN 978-90-411-3171-3.

“*Settling Business Disputes: Arbitration and Alternative Dispute Resolution*”, *Second edition* (co-author with Jean-François Bourque and David Watkiss), International Trade Centre UNCTAD/WTO, Geneva, 2016, 67 pages, ISBN 978-92-9137-430-4.

“*Règlement des litiges commerciaux : Arbitrage et règlement alternatif des différends*”, *Seconde édition* (co-author with Jean-François Bourque and David Watkiss), Centre du commerce international CNUCED/OMC, Geneva, 2016, 71 pages, ISBN 978-92-9137-438-0.

“*Resolución de disputas comerciales : Arbitraje y métodos alternativos de resolución de conflictos*”, *Segunda edición*, (co-author with Jean-François Bourque and David Watkiss), Centro de Comercio Internacional UNCTAD/WTO, Geneva, 2016, 70 pages, ISBN 978-92-9137-439-7.

Chapter on “Belgium”, in *Annulment of arbitral awards by state court: Review of national case law with respect to the conduct of the arbitral process*, A report by the Arbitration Commission of the International Bar Association, London, October 2018, 4-8.

“UNCITRAL Instruments on the Enforcement of International Commercial Settlement Agreements Resulting from Mediation”, *Nederlands-Vlaams Tijdschrift voor mediation en conflictmanagement*, The Hague, Boom Juridische Uitgevers, 2018, Nr. 4, 6-22.

“UNCITRAL Working Group II - Instruments on the Enforcement of International Commercial Settlement Agreements Resulting from Mediation”, January 2019, 7 pages, <http://www.fica-disputeresolution.com>.

“Belgium”, (co-author with Hans van Houtte), in F.-B. Weigand and A. Baumann (Editors), *Practitioner’s Handbook on International Commercial Arbitration – Third edition*, Oxford, Oxford University Press, 2019, 156-225.

“United Nations Convention on International Settlement Agreements Resulting from Mediation”, *b-Arbitra*, Brussels, 2019, Nr. 1, 53-85.

“Arbitrability of exclusive distributorship agreements with application of foreign law confirmed by Belgian courts after the reform of the Belgian arbitration law of 2013”, (co-author with Johan Erauw), *b-Arbitra*, Brussels, 2019, Nr. 1, 263-285.

“Report of the Forum for International Conciliation and Arbitration (FICA) Task Force on Issues Related to Expedited Arbitration in connection with the UNCITRAL Rules as considered by the 68th Session of UNCITRAL Working Group II (4-8 February 2019)” (co-author with Ben Beaumont, Alan Anderson, Tim Lemay and Rumiana Yotova), 15 September 2019, 10 pages, <http://www.fica-disputeresolution.com>.

“Arbitrage en de Hoogste Belgische Gerechtshoven (1904-2019)” (Arbitration and the Belgian Supreme Courts (1904-2019)), (co-author with Luc Demeyere), *b-Arbitra*, Brussels, 2019, Nr. 2, 349-438.

“The amended UNCITRAL Model Law on International Commercial Mediation 2018”, in D. De Meulemeester, M. Berlingin and B. Kohl (Editors), *Liber Amicorum 50 years of solutions – 50 ans de solutions – 50 jaar oplossingen Cepani 1969-2019*, Mechelen, Wolters Kluwer, 2019, 457-482.

“The United Nations Convention on International Settlement Agreements Resulting from Mediation : Its Genesis, Negotiation and Future”, (co-author with Alan Anderson and Ben Beaumont), in *International Mediation, The Comparative Law Yearbook of International Business Volume 41a*, C. Campbell (Editor), Alphen aan den Rijn, Wolters Kluwer, 2020, 35-62.

“Chapter 16 – Mediation as a Method to Settle International Trade and Investment Disputes”, in *The Investor-State Dispute Settlement System : Reform, Replace or Status Quo?*, A Anderson and B. Beaumont (Editors), Alphen aan den Rijn, Wolters Kluwer, 2020, 341-367.

“Mediation as an Alternative Method to Settle Investor-State Disputes”, in *Handbook of International Investment Law and Policy*, J. Chaisse, L. Choukroune and S. Jusoh (Editors), Springer, Singapore, 2020, 24 pages, https://doi.org/10.1007/978-981-13-5444-2_104-1.

EXPERIENCE IN COURT LITIGATION

Experience of more than 30 years as party counsel in court litigations in commercial matters and also relating to arbitration proceedings.

PROFESSIONAL TRAINING IN ARBITRATION

Investment Arbitration Masterclass, 3rd edition, organised by the International Energy Charter, the Permanent Court of Arbitration (PCA), the Arbitration Institute of the Stockholm Chamber of Commerce (SCC) and the International Centre for Settlement of Investment Disputes (ICSID) (at the International Energy Charter Secretariat, in Brussels), 5-8 November 2018.

EXPERIENCE IN ARBITRATION

Acted in more than 80 national and international arbitrations as counsel, sole arbitrator, chairman of the arbitral tribunal, co-arbitrator, panellist or expert, and has also acted as adjudicator (incl. ICC, PCA, WIPO, CAS, LCIA, SCAI, UNCITRAL, CEPANI, ad hoc), with vast experience in applying both common and civil law, and also UNIDROIT principles, or acting as *amiable compositeur*.

PROFESSIONAL TRAINING IN MEDIATION

Mediator training course (at the Brussels Business Mediation Center), August 24-30, 2000.

Investor-State Mediator training course, organised by the Centre for Effective Dispute Resolution (CEDR), the International Centre for Settlement of Investment Disputes (ICSID), the International Energy Charter and the International Mediation Institute (IMI) (at the World Bank), Paris, 8-10 May 2018.

Training seminar on Mediation in Disputes on R&D and Related Commercial Agreements, organised by the World Intellectual Property Organisation (WIPO) (at the European Liaison Office of the German Research Organisations (KOWI), Brussels, 11-12 October 2018.

EXPERIENCE IN MEDIATION

Acted in more than 15 national and international mediations as mediator (incl. appointments by Belgian Courts, Brussels Bar, ad hoc, WIPO, ICC, Energy Community).

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-Arbitrator	Counsel
International Arbitrations	CEPANI	12	/	4	6	2
	ICC	33	4	14	2	12
	Court of Arbitration for Sport	6	/	/	6	/
	European Court of Arbitration	1	/	/	1	/
	Others	5	1	/	1	3
	Ad Hoc	4	/	2	1	1
Number of Cases : Sub-Total		61	5	20	17	19
Domestic Arbitrations	CEPANI	12	1	5	1	5
	Belgian Court of Arbitration for Sport	1	/	/	1	/
	Ad Hoc	6	2	3	1	/
Number of Cases Sub-total		19	3	8	3	5
TOTAL		80	8	28	20	24

MEDIATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Mediations	Mediator		Counsel	
International Mediations	WIPO	1	1			
	ICC	1	1			
	Energy Community	1	1			
	Ad Hoc	1	1			
	Others					
Number of Cases :		4	4			
Sub-Total						
Domestic Mediations	Brussels Bar	1	1			
	Court Annexed	9	9			
	Ad Hoc	4	4			
Number of Cases		14	14			
Sub-total						
TOTAL		18	18			