

CURRICULUM VITAE

PASCAL PICHONNAZ

Ordinary Professor, School of Law, University of Fribourg
Dr. iur., attorney-at-law, LL.M. (Berkeley)



Chair for Private Law and Roman Law

Beauregard 11, bur. 5.520, CH-1700 Fribourg

Tél. : +41 26 300.80.29

Fax : +41 26 300.96.91

E-mail: pascal.pichonnaz@unifr.ch

Internet: www.unifr.ch/ius/pichonnaz

President of the European Law Institute (2021-2025)

www.europeanlawinstitute.eu

Personal data born 3 August 1967, married, three children

Languages French (mother tongue), Swiss-German (mother tongue), German, English.

Good abilities in Italian, Spanish and Latin.

PROFESSIONAL EXPERIENCE

a) Teaching

Visiting Professor: Center for Transnational Legal Studies ([CTLS](https://www.law.georgetown.edu/ctls/) – Spring 2023); Shanghai ECUPL (October 2020, *online* due to COVID-19); **Paris Sorbonne (Paris 1)** (February 2020); **City University Hong Kong** (March 2019); **Georgetown University Law Center** (August 2017-July 2018); **Paris Panthéon-Assas (Paris 2)** (January 2024; February 2017; January 2013 and November 2012; May 2012; Feb. 2008); Pontificia Universidad Católica de **Chile** (Santiago, November-December 2014); **Trento** (April 2014); **Liège** (Chaire David-Constant, March 2013); **Istanbul**, Bilgi University (April 2012), Center for Transnational Legal Studies (CTLS), London (<https://www.law.georgetown.edu/ctls/>; Aug.-Dec. 2018; Aug.-Dec. 2011; Jan-June 2009); **Georgetown Summer Program** (London; August 2011); **Montpellier** (March-April 2011); **Stellenbosch** (South Africa; October 2010); University of **Rome 2** “Tor Vergata” (April 2007); University d’Auvergne **Clermont-Ferrand** (France; March 2007); **Glasgow** (March 2003); **Pisa** (February 2003); **Liège** (November 2002).

Since 1st Oct. 2001 **Ordinary Professor** at the Law School of the University of Fribourg (Switzerland), Chair for Private Law and Roman Law (teaching of Contract Law [since 2006], Family Law [2001- 2007], and since 2001 Comparative Law, European Consumer Law and Roman Law).

Oct. 2000 -Sept. 2001 **Associate Professor** at the Law School of the University of Fribourg, holder of the Chair for Private Law and Roman Law (teaching of Roman Law, Family Law, European Private Law).

Sept. 1999-June 2001 **Substitute Professor** at the Law Faculty of the University of Lausanne.

b) Other legal activities

Since Nov. 2024 Member of the Expert group for the revision of the rights on guarantee for Sales contracts, Federal Office of Justice, Department of Justice and Police, Switzerland.

Since Sept. 2024 **President** of the **Swiss Jurists Society** (Société Suisse des juristes SSJ / Schweizerische Juristische Gesellschaft SJG), previously treasurer from 2021-2024.

Since Nov.2023 Member of the advisory committee of the Federal Council for Digital friendly legislation (“Beiratstreffens Digitale Schweiz zum Fokusthema Digitalisierungsfreundliches Recht”)

Since August 2023 Associate Dean for international Relations for the School of Law of Fribourg

Sept. 2022 Corresponding Member, representing Switzerland, at **UNIDROIT** (Rome, Italie), member of several working groups (among which WG on Investment contracts)

Sept. 2021 **President** of the **European Law Institute** (elected in February 2021, reelected in February 2023)

Sept. 2019-Sept. 2021 **Vice-president** of the Executive Committee of European Law Institute (www.europeanlawinstitute.eu)

Jan. 2019-Dec. 2023 **President** of the Federal Consumer Commission

Since Sept 2017 Council member of the ELI (European Law Institute (ELI))

Aug 2014-July 2017 **Dean** of the Fribourg School of Law.

Feb. 2005-2009 **President** (2008-2009) of the European Law Faculties Association (**ELFA**); 1st vice-president (2007-2008); member of the board (2005-2009).

Jan. 2012-Dec. 2018 Vice-president of the Federal Consumer Commission

2004-2014 Associate Dean for international Relations for the School of Law of Fribourg

Since 2010 Member of the International Jury of the *Premio Internazionale di diritto romano ‘Gérard Boulvert’* (Roman Law; <http://www.premioboulvert.unina.it/giuria.php>)

2009-2020	Chair of the Jury for High-School graduate (Collège St-Michel Fribourg)
Since June 2008	Vice-president, and Co-founder of the LL.M. in Business Law (Fribourg, www.unifr.ch/ius/llm) <i>Master of Laws in cross-cultural business practice</i>
Since 2004	Teacher of the Summer University on European Private Law, University of Salzburg.
2000-2012	Co-ordinator for the module Law for the Executive Master on management in telecommunications, IIMT, University of Fribourg
2007-2009	President of the Professorial Body of the University of Fribourg
2003-2007	Board of examiners for the Bar Exam in Fribourg
July 2004-2008	Co-scientific Director of the project <i>European Law Online</i> School of Law of Fribourg in coordination with the University of Strasbourg III.
2002-2006	Scientific Director of the <i>Master of advanced studies in Children Rights</i> (University of Fribourg in collaboration with the Institute Kurt Bösch in Sion and the Institute for children's rights, Bramois/Sion; www.iukb.ch/emcr)
1991-2015	Judge at the Military Appellate Court (TMA I) in Switzerland
Arbitration	I specifically state that I appeared several times as expert witness in international state and arbitration proceedings; more than 50 times as president, sole arbitrator, co-arbitrator, in domestic state and arbitral proceedings (ICC, UNCITRAL, ad hoc).

c) Legal journals

- Editor-in-chief of the *Revue de droit suisse* (Journal for Swiss Law), since 2018, before member since 2004
- Member of the editorial board of *Baurecht/Droit de la construction* (Swiss Journal for Construction Law), since 2002
- Member of the editorial board of *Revue suisse de jurisprudence* (Swiss Journal for Case-Law), since 2002
- Scientific correspondent of the *Revue fribourgeoise de jurisprudence* (RFJ), since 2002
- Member of the editorial board of *Revue Internationale des Droits de l'Antiquité* (RIDA) (Brussels), since 2007
- Member of the editorial board of *Orbis Iuris Romani* (International Journal for Roman Law), since 2004
- Member of the editorial board of *Teoria e storia del diritto privato* (Naples), since 2007 (electronic Journal: <http://www.teoriaestoriadeldirittoprivato.com/>)
- Member of the Scientific committee of *French Journal Of Legal Policy* (Paris), since 2023
- Member of the Scientific committee of *Pactum. Rivista di diritto dei contratti* (Rome), since 2022
- Member of the Scientific committee of *BIDR (Bulletino Internazionale di Diritto Romano)*, Rome, since 2016
- Member of the Scientific committee of *Index* (International Journal of Roman Law), Naples, since 2010
- Member of the Scientific committee of *Fundamina* (International Journal of Roman Law), Pretoria (SA), since 2012
- Member of the Scientific committee of *Iura* (International Journal of Roman Law), Catania, since 2014
- Member of the Scientific committee of *Revista Internacional de Derecho Romano (RIDROM ; Spain)*, since 2017

d) Associations

- Supporting Member of the *European Law Institute* (Vienna)
sept. 2017 member of the Council, sept. 2019 2nd vice-president, sept. 2021 president
- Member of the *Associazione italiana di Diritto Romano*
- Associate Member of the *International association of comparative law*
- Member of the *Société de législation comparée* (Paris)
- Founding member of the *Academy on European Private Law* (Salzburg)
- Member of the ASA (Association Suisse d'Arbitrage)
- Member of the LCIA list (London Court of International Arbitration)
- ICC Swiss Group (International Chamber of Commerce, arbitration) – Swiss Group
- Member of the board of SSJ, and treasurer (Société suisse des juristes)
- Secola (Society of European Contract Law association)
- Familiengesellschaft (Deutschland)
- IABA (International Association of Boalt Alumni), general secretary 2002-2008

MAIN STEPS OF LEGAL EDUCATION

2001	<i>Habilitation</i> at the University of Fribourg (<i>venia legendi</i> : Private Law, Roman Law and Comparative Law) with a thesis entitled: "La compensation. Analyse historique et comparative des modes de compenser non conventionnels" (on set-off in historical and comparative perspective), Fribourg 2001–AISUF 208, LXXX-736p.
1997-1998	Post-doctoral research at the University of Regensburg (Germany at Prof. R. Zimmermann's Chair).
1998	<i>Ph.D. utr. iur.</i> (Doctorate), for a thesis entitled "Impossibilité et exorbitance. Etudes des obstacles à l'exécution des obligations en droit suisse (art. 119 CO et 79 CVIM)" (on frustration and hardship), AISUF 168, Fribourg 1997, LX-456 p. (reporters: Pierre Tercier and Peter Gauch).
1997	<i>Master of Laws</i> (LL.M.), at the University of California at Berkeley (USA).
1994	<i>Attorney-at-Law</i> (Fribourg), articulated for two years by Hartmann & Dreyer (Fribourg)
1991	<i>Licence en droit</i> (LL.D.), bilingual at the University of Fribourg.

Awards Frilex-Award 1991 ; Peter-Jäggi Stiftung Award 1997 ; Walther Hug Award 1997 ; Premio internazionale Gérard Boulvert Award 2002; and fellowships for publications and research (young research fellowship FNS 1996-1997; advanced research fellowship FNS 1998-2001; Robbins Fellow UC Berkeley, 2005)

Fribourg, 19 December 2024

Arbitration cases – Prof. Dr. Pascal Pichonnaz
Swiss Group ICC – ASA member
LCIA registered – SCAI (Swiss Chamber’s arbitration Institutions)
CAS arbitrator

Updated on 18.12.2024

President (11)	ICC 1	SCAI 2	UNCITRAL <i>ad hoc</i> 1	CAS 7	
Sole arbitrator (17)		ICC 8	SCAI 1		CAS 8
Co-arbitrator (27)	ICC 11	SCAI 3	ad hoc 1	CAS 12	
Secretary (3)	ICC 2		ad hoc 1		

Commercial arbitration

23. SCAI Procedure 300671-2023

Sole Arbitrator. Seat in Switzerland, Swiss law applicable. Procedure on fees for last will executory and related issues. *Still pending*

23. ICC Procedure 27231/ELU

Co-arbitrator. Seat in Istanbul. Turkish Law applicable. Procedure in English. Share purchase agreements and earn-out clause. *Still pending*

22. ICC Procedure 25451/DDA-AZO

Sole arbitrator. Seat in Paris. French Law applicable. Procedure in English. Distribution Contract (transportation), spare parts, termination.

21. ICC 25668/GR

Co-arbitrator. Seat London/Zurich. Swiss Law. Contract for Sale of Equipment and Services. **Energy sector.**

20. ICC 25667/GR (consolidated with 25668/GR)

Co-arbitrator. Seat London/Zurich. Swiss Law. Contract for Sale of Equipment and Services. **Energy sector.**

19. ICC 25602/GR (consolidated with 25713/GR)

Co-arbitrator. Seat Zurich. Swiss Law. Pharmaceuticals, biotechnology and life sciences.

18. ICC 25713/GR

Co-arbitrator (together with a Swiss attorney and a Swiss/German attorney). Seat Zurich. Swiss Law. Pharmaceuticals, biotechnology and life sciences.

17. Ad hoc UNCITRAL arbitration

President (together with an English QC and a Belgium attorney). Seat in Kigali. Swiss law applicable. Laws of Rwanda.– **Electricity grid construction** – Construction dispute post DAB decisions.

16. ICC Procedure 24494/GR

Sole arbitrator. Seat in Zurich. Swiss Law applicable. Procedure in English. Sales Contract (Electricity) and interpretation of contract.

15. ICC Procedure 23714/GR

Co-arbitrator (together with a Swiss attorney, as coarbitrator; and a Swiss President). Seat in Paris. French Law applicable. Procedure in English. **Delivery of Electricity** and hardship/impossibility.

14. ICC Procedure 22579/DDA

President (together with a Belgium attorney and a French attorney, as coarbitrators). Seat in Brussels. **French Law applicable.** Procedure in French. Convention de Groupement momentané d'entreprise.

13. Ad hoc Procedure – Seat in Lugano

Co-arbitrator (together with a Zurich attorney, President, and a Zurich attorney, coarbitrator). Management and Commission Contract. Swiss Party and Turkish Football team. Seat in Lugano. Swiss Law applicable. Procedure in English.

12. SCAI 300381-2016 (Swiss Rules)

Co-arbitrator (together with a French attorney, as President and a Swiss Geneva Attorney, co-arbitrator) (case was early settled) Construction of a road in an African Country. Spanish and Algerian parties, on one side, Algerian company and State, on the other side. Algerian Law applicable. Seat in Geneva. Procedure in French.

11. SCAI 300373-2016 (Swiss Rules)

President (together with a French Professor/arbitrator and a Belgium Attorney). Sales contract over parts of shares of a Limited-liability-company in Democratic Republic of Congo. Belgium and French parties. French Law applicable. Procedure in French.

10. ICC 21277-EMT

Co-arbitrator (together with an Italian Professor-chair, and a Swiss attorney). Sales contract of a Company limited by shares. Dispute of the earn-out clause, its ambit and validity. Swiss law applicable. Disputes between Swiss and American entities. Swiss law applicable. Procedure in English.

9. ICC 19457-EMT

Co-arbitrator (case was early settled). Subcontract agreement in the aerospace field. Dispute between an Israeli and Turkish party. Swiss law applicable. Procedure in English.

8. ICC 19319-MCP

Co-arbitrator (together with a French Professor/arbitrator, as President, and a French Attorney). Construction contract for important roads in Guinea. Guinean parties. Guinean law applicable. Seat in Paris. Procedure in French.

7. ICC 19294-GFG

Co-arbitrator (together with a German attorney, as President, and a Swiss Attorney). Construction contract for a **large energy Plant.** Turkish and Spanish parties. Swiss law applicable. Seat in Geneva. Procedure in English.

6. ICC 18289-GFG

Sole arbitrator. Agency contract between a German large company and a person of an Arabic country for the construction of a **large energy plant**. Swiss law applicable. Seat in Geneva. Procedure in English.

5. ICC 17720-FM

Sole arbitrator. Sales contract of a Yacht (defects). Swiss law applicable. Seat in Geneva. Procedure in English.

4. ICC 17694/ND

Sole arbitrator. Transaction agreement on two debts to be paid (Tunisia). Swiss law applicable. Seat in Geneva. Procedure in French

3. ICC 17649_JRF-CA

Sole arbitrator. Construction contract for power plants. Spanish company and Iranian company. Unidroit Principles. Liquidated damages, limitation period and mandatory rules. Seat in Geneva. Procedure in English.

2. CCIG 252

Co-arbitrator (together with two Swiss arbitrators). Very large construction dispute for defects in construction. Swiss law. Seat in Geneva. Procedure in French.

1. ICC 15582_EC

Sole arbitrator. Delivery contract for steel. Italian company and French company. French Law applicable. Incoterms issue. Seat in Rome. Procedure in English.

CAS Arbitration

(23) CAS 2024/0/10357

Coarbitrator. Cas arbitration. **English** – ICO – agency contract – commercial contracts

(22) CAS 2022/A/9277

Coarbitrator. Cas arbitration. **French** – Africa – Football – *award under scrutiny*.

(21) CAS 2022/A/9197

Sole Arbitrator. Cas arbitration. **French** – Switzerland – Doping – award rendered.

(20) CAS 2022/A/9010

President of the Panel. Cas arbitration. **French** – Africa – football – young player transfer – award rendered.

(19) CAS 2022/A/8913

President of the Panel. Cas arbitration. **French** – Africa – football competition – classification - award rendered.

(18) CAS 2022/A/8742

President of the Panel. Cas arbitration. **English** – exclusion of a cycling team – Russian cyclists – International Federation. – *award under scrutiny*

(17) CAS 2021/A/8461

Sole Arbitrator. Cas arbitration. **French** – Agent-player agreement – breach of commercial agency contract - award rendered.

(16) CAS 2021/O/7718

Sole Arbitrator. Cas arbitration. **French** – Africa – Football – Salary payment – *award under scrutiny*.

(15) CAS 2021/A/8347/8361/8445 (joined)

Coarbitrator. Cas arbitration. **French** – Football Africa – Classifications - award rendered

(14) CAS 2021/A/7855

Sole Arbitrator. Cas arbitration. **English**– Lebanon – Equestrian Federation - award rendered.

(13) CAS 2020/A/7591 (joined)

Coarbitrator. Cas arbitration. **French** – Olympic Games 2024 – Canoe – competitions - award rendered.

(12) CAS 2020/A/7590

Coarbitrator. Cas arbitration. **French** – Olympic Games 2024 – Canoe – competitions - award rendered.

(11) CAS 2020/O/7289

Sole Arbitrator. Cas arbitration. **French** – Africa – Football – Salary payment - award rendered.

(10) CAS 2021/A/7649

President of the Panel. Cas arbitration. **French** – Africa – Football – Salary payment - award rendered.

(9) CAS 2020/A/7590

Co-arbitrator. Cas arbitration. **English** – Hungary – Canoe – award rendered.

(8) CAS 2020/A/7507

President of the panel. CAS arbitration. **French** – Africa – Football elections - award rendered.

(7) CAS 2020/A/7506

President of the panel. CAS arbitration. **French** – Africa – Football yearly classification - award rendered.

(6) CAS 2019/A/6995

President of the panel. CAS arbitration. **English** – Euroleague – Basketball sanctions- award rendered.

(5) CAS 2019/A/6950

Co-arbitrator. CAS arbitration. **English** – Football Player employment contract – just cause for termination - award rendered.

(4) CAS 2019/A/6783

Sole Arbitrator. CAS arbitration – **French** – Africa - Exclusion from Football Federation - award rendered.

(3) CAS 2019/O/6731 (expedited)

Sole Arbitrator. CAS arbitration – **English** – expedited procedure – Football intermediary activities - award rendered.

(2) CAS 2019/O/6567

Sole Arbitrator. CAS arbitration – **English** – Football intermediation activities - award rendered.

(1) CAS 2019/O/6534

Sole Arbitrator. CAS arbitration – **French** – Football – player remuneration - award rendered.

Commercial mediation cases

4 mediation cases all in Swiss construction law (all successfully settled disputes over one million CHF each)

Non binding Legal Expertise

Large Power Plant Construction contract. FIDIC. Commencement dates. Analyses for both parties (Lebanese and German parties).

Legal Opinions

Many legal opinions for parties in arbitration cases and state courts, including in Energy sector.