

Isabelle Fellrath

Publications

ARBITRATION & SPORT

Books/chap. in books

Commentary to Art. 1 and 2 SRIA, in T. Zuberbuhler et al. (eds), *SWISS RULES OF INTERNATIONAL ARBITRATION: COMMENTARY*, 2nd edn 2013 (with F. Spoorenberg)

CULTURAL PROPERTY DISPUTES: THE ROLE OF ARBITRATION IN RESOLVING Non CONTRACTUAL DISPUTES, 2004

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Opinions in the media

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Lessons Learnt From 2021 And Evolving Concepts Of Significance In Arbitration (ADR Personality), *LAGOS COURT OF ARBITRATION, NEWSLETTER*, March 2022, pp. 5-6

Arbitration Is No Silver Bullet For The Adjudication Of Business-Related Human Rights, *AAA BLOG* (<https://afaa.ngo/page-18097/10425130>), May 2, 2021

Vers une marchandisation du contentieux commercial en Suisse, *LE TEMPS*, 10 June 2020, p. 9

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La sanzione per il mancato rispetto di una clausola *multistep* conciliazione/arbitrato e le conseguenze per gli atti già compiuti dal tribunale arbitrale? Nota sulla sentenza del 16 marzo 2016, caso n° 4A_628/2015, Tribunale Federale Svizzero pubblicata nel DTF 142 III 296, *XXVII RIVISTA DELL' ARBITRATO* (2017) pp. 613-635

L'ammissibilità di consulenti esterni del tribunale arbitrale nel diritto svizzero, Nota sulla sentenza del 21 maggio 2015, caso n° 4A_709/2014, Tribunale Federale Svizzero, *XXVI RIVISTA DELL' ARBITRATO* (2016) pp. 353-370 (with D. Franchini)

Annotations and Summaries of Decisions of the Swiss Federal Supreme Court Issued in 2011 and 2012 Concerning International Arbitration, *JOURNAL OF INTERNATIONAL TRADE AND ARBITRATION LAW/ ULUSLARARASI TICARET VE TAHKIM HUKUKU DERGISI* (2013) pp. 191-219 (with F. Spoorenberg)

Consent to Arbitrate: A Prerequisite to Arbitration, *JOURNAL OF INTERNATIONAL TRADE AND ARBITRATION LAW/ ULUSLARARASI TICARET VE TAHKIM HUKUKU DERGISI* (2012) pp. 241-252 (with F. Spoorenberg)

The Swiss Supreme Court Decides: *India v. Crédit Agricole Suisse*, *X ART ANTIQUITY AND LAW* (2005) pp. 401-413

Regular Caselaw Reviews in ILO (2009-2013, with F. Spoorenberg/P.-Y. Tschanz)

Speaking
Engagements

Sports Law Conference: Swiss Sports Tribunal (SST) - State of Play After the first 500 days, ASSOCIATION SUISSE DE DROIT DU SPORT / SWISS SPORTS TRIBUNAL, Fribourg – BCF Arena, 30 October 2025

Procedura arbitrale accelerata sotto l'égida delle Swiss Rules: una valida alternativa anche per la risoluzione di vertenze dal valore contenuto: La prospettiva dell'arbitro e dell'avvocato: opportunità e sfide della procedura accelerata, ASA LOCAL GROUP SVIZZERA ITALIANA, Lugano, 23 October 2025

Geopolitical Shift and Emergence of New Sectoral disputes: Arbitrators' enhanced exposure to modern geopolitical realities, AFAA 6TH ANNUAL CONFERENCE on Arbitration in a Changing International Landscape: African Challenges and Perspectives, Cairo, 10-12 October 2025

ESG Litigation in Practice: Initial Insights and Future Outlook, CAMEROON ARBITRATION WEEK 2025, Yaoundé, 15-16 May 2025

Context And Stakes: Does Sport Arbitration Matter In Africa ?, CAMEROON ARBITRATION WEEK 2025, Yaoundé, 15-16 May 2025

ESG Remediation and Damages, AFAA 5TH ANNUAL CONFERENCE ON Global Arbitration in a Changing World: Adapting to Evolving Commercial, Maritime, ESG, Construction and Sports Challenges, Douala, 9-11 October 2024

Sports Events and Sustainability: Friends or Foes ?, ASSOCIATION SUISSE DE DROIT DU SPORT, Centre national de sport de Macolin, 27-29 November 2024

Environmental and Sustainability Issues in Maritime Arbitration, CAMEROON ARBITRATION WEEK 2024, Douala, 7-10 October 2024

Due Process In Virtual Arbitration: Adjustments, Constraints, Challenges, INTERNATIONAL ARBITRATION AND MEDIATION (ADVANCED COURSE), LL.M. International Business law, Faculty of Law, Criminal Justice and Public Administration, UNIL, Lausanne, yearly, since 2023

Contracts Of Employment Under The FIFA RSTP And The Swiss Code Of Obligations: Interactions, UNIL- CAS SPORTS ARBITRATION FORUM, SWISS LAW AND INTERNATIONAL SPORTS DISPUTES, Court of Arbitration for Sports, Lausanne, 25 November 2022

Funding Of International Commercial Arbitration, INTERNATIONAL ARBITRATION AND MEDIATION (ADVANCED COURSE), LL.M. International Business law, Faculty of Law, Criminal Justice and Public Administration, UNIL, Lausanne, yearly, 2020-2023

Arbitration Hot Topics and Career Prospects, Guest Speaker, INAUGURATION SESSION OF THE ALTERNATIVE DISPUTE RESOLUTION COMMITTEE, Xavier University Bhubaneswar law school, India, 22 September 2021

Protecting Human Rights through Arbitration: The Hague Rules on Business and Human Rights Arbitration, panellist, AFAA 2ND ANNUAL CONFERENCE ON REFORM AND INNOVATION OF INTERNATIONAL DISPUTE RESOLUTION: AFRICAN PERSPECTIVES, Accra, Ghana, 14-16 June 2021

Cash-strapped : How Can Mining Companies Finance Legal Disputes?, Moderator, CONFERENCE ON SOCIAL LICENSE AND DISPUTE RESOLUTION IN THE

ENVIRONMENT & ENERGY

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EXTRACTIVE INDUSTRIES, UNIL, Lausanne, 19 February 2021

Intrinsic Inadequacy Or Unwarranted Ignorance Of Voluntary Arbitration In National Environmental Matters ?, ASA GENEVA GROUP, 29 October 2020

Conflits de droit du travail et arbitrage, SWISSLEGAL, Zurich, 7 May 2019

Why Does Arbitration Matter ? Some Practical Insights, Brown Bag Seminar, NO PEACE WITHOUT JUSTICE, Brussels, 30 January 2012

ENVIRONMENTAL, SOCIAL AND GOVERNANCE LEGAL AND REGULATORY REQUIREMENTS IN SWITZERLAND: FROM THEORY TO PRACTICE (2025, forthcoming)

Articles 16, 17 et 18 LPE, in P. Moor, A.-C. Favre, A. Flückiger, COMMENTAIRE ROMAND DE LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT, (2025, forthcoming)

Sites contaminés : entre risques individuels et risques sociaux, in A.-C. Favre (ed.), PROCÉDURES TERRITORIALES ET RISQUES ENVIRONNEMENTAUX, CEDIDAC (2025, forthcoming)

Transfert d'entreprises et responsabilités environnementales, in D. Dürr, M. Lardi (eds), UNTERNEHMENSFÜHRUNG UND RECHT, REGULATORISCHES UMFELD FÜR KMU, 2nd edn 2019, Chap. 27

Force Majeure and Hardship Clauses in Energy Supply Agreements, in K. Makuch, R. M. Pereira (eds), ENVIRONMENTAL AND ENERGY LAW, Wiley-Blackwell Publishing, 2012, Chapter 11, pp. 240-252 (co-author)

DROIT DE L'ÉNERGIE: RECUEIL DE TEXTES INTERNATIONAUX, EUROPÉENS ET SUISSES, 2011 (with P.G. Favre)

A STUDY OF SELECTED PRINCIPLES OF INTERNATIONAL ENVIRONMENTAL LAW IN THE LIGHT OF SUSTAINABLE DEVELOPMENT, University of Nottingham, 1998

Articles / Opinions in the media

Responsabilité civile pour le préjudice écologique : vers une nécessaire réforme en droit suisse ?, UMWELTRECHT IN DER PRAXIS (2025, forthcoming)

Pollution des sols en Suisse: vers un assainissement ?, LE TEMPS, 9 April 2025, p. 2

A Lausanne, ces vestiges du passé qui plombent nos assiettes, LE TEMPS, 23 June 2021, p. 2

L'état de nécessité climatique : un concept peu convaincant, LE TEMPS, 24 January 2020, p. 9 (with O. Francioli)

Une décision fédérale claire s'impose urgemment pour la 5G, LE TEMPS, 12 December 2019, p. 10

Le citoyen face à la densification urbaine et la transition énergétique, LE TEMPS, 1 April 2019, p. 8

Attention à la pollution lors du transfert d'activités ou de biens fonciers, News Signatures: Réflexions, 24HEURES, 29 November 2018, p. 2

Book reviews

Paramètres généraux de répartition des frais d'investigation, de surveillance et d'assainissement des sites pollués : état de la pratique et de la jurisprudence en droit suisse, *UMWELTRECHT IN DER PRAXIS* (2018/4) pp. 283-304

A qui la responsabilité financière des assainissements des sites pollués ?, Expert, *LE TEMPS*, 8 September 2017, p. 8

Paradigme des défis actuels à la Grande Carrière, *News Signatures: Réflexions*, 24HEURES, 24 August 2017, p. 2

Sortir du nucléaire et milliards d'indemnités : le droit n'est pas si clair, *Débats*, *LE TEMPS*, 8 November 2016, p. 8

Developments under the CO2 emission reduction regulation, *EUROPEAN ENERGY JOURNAL* (2015) pp. 63-65

Swiss Supreme Court : Nuclear Security, *EUROPEAN ENERGY JOURNAL* (2013) pp. 6-9

Restructuring The Swiss Electricity Market And The Progressive Phasing Out Of Nuclear Energy, A. de Hauteclocque et al. (eds), *EU ENERGY LAW & POLICY YEARBOOK* (2012) pp. 61-70

Energy Law: Swiss Report, *EUROPEAN ENERGY JOURNAL* (2011) pp. 62-65

M. Roggenkamp et al. (eds), *Energy Law In Europe: National, EU And International Regulation*, Oxford University Press, 2nd edn 2008, in 18 *EUROPEAN ENERGY AND ENVIRONMENTAL LAW REVIEW* (2009) pp. 141-143

D. Zillman et al. (eds), *Beyond The Carbon Economy Energy Law In Transition*, Oxford University Press, 2008, in 18 *EUROPEAN ENERGY AND ENVIRONMENTAL LAW REVIEW* (2009) pp. 77-78

H.T. Anker, B. Olsen, A. Rønne (eds), *Legal Systems And Wind Energy: A Comparative Perspective*, Kluwer law international, 2009, in 19 *EUROPEAN ENERGY AND ENVIRONMENTAL LAW REVIEW* (2010)

Speaking engagements

La responsabilité environnementale en droit civil suisse : rapport in *La responsabilité environnementale. Journées internationales polonaises de l'Association Henri Capitant, Łódź*, 5-7 June 2023

Sites contaminés, Proportionnalité des mesures d'assainissement : jalons juridiques et application, *CENTRE D'HYDROGÉOLOGIE ET DE GÉOTHERMIE DE L'UNIVERSITÉ DE NEUCHÂTEL, FORMATION CONTINUE EN GESTION DES SITES POLLUÉS, module avancé : Investigation de détail*, Neuchâtel, 27-28 October 2022

Proportionnalité des mesures d'assainissement : les principes juridiques, *LES SITES CONTAMINÉS, HAUTE ÉCOLE D'INGÉNIEURIE ET DE GESTION DU CANTON DE VAUD/INSTITUT INTERDISCIPLINAIRE DU DÉVELOPPEMENT DE L'ENTREPRISE*, Yverdon, 19 May 2021

Proportionnalité des mesures d'assainissement dans la jurisprudence, *RENCONTRE 2020 DES SPÉCIALISTES DES SITES CONTAMINÉS, OFEV*, Bern, 17 September 2020

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Responsabilité environnementale : répartition des frais entre perturbateurs ; Quels enseignements des pratiques cantonales et fédérale ?, RENCONTRE 2017 DES SPÉCIALISTES DES SITES CONTAMINÉS, OFEV, Bern, 7 June 2017

What Legal Qualification for Take of Pay Provision (Gas, Electricity) In Swiss Law ? 6TH SAINT-GALL INTERNATIONAL ENERGY FORUM, Saint-Gall, 13 - 14 December 2012

Restructuring The Swiss Electricity Market And The Progressive Phasing Out Of Nuclear Energy In The Aftermath Of The Fukushima Disaster, ANNUAL EU ENERGY LAW AND POLICY, 7TH ANNUAL CONFERENCE, Claeys & Casteels, Brussels, 31 January - 1 February 2012

Droit de la concurrence, Les restrictions illicites à la libre concurrence et les procédures à suivre - Défis pour la branche, ASSOCIATION DES ENTREPRISES ÉLECTRIQUES SUISSES (VSE/AES), Lausanne, April 2010

Groupe de travail et d'étude sur la responsabilité civile pour le dommage causé à l'environnement, MILAN UNIVERSITY LAW FACULTY, Italy, July-August 1997

MISCEL.

Books/chap. in books

Switzerland And WTO Law, in Baker & McKenzie (ed.), REDBOOK ON WTO LAW IN MAJOR TRADING COUNTRIES, 2001 (co-author)

Articles / Opinions
in the media

Au Vendée Globe, la course à l'égalité, LE TEMPS, 8 February 2023, p. 4

« Crop tops » : regrettable dérive ou renouveau méritoire ?, LE TEMPS, 12 October 2020, p. 8

L'excision pratiquée à l'étranger est punissable en Suisse, interview, FORUM, 22 February 2019, <https://www.rts.ch/audio-podcast/2019/audio/l-excision-pratiquée-a-l-etranger-est-punissable-en-suisse-interview-d-isabelle-fellrath-25029228.html?id=25029244>

The debate on the legality of June 14 women movement as a "formal strike" is inapposite and irrelevant, interview, Hannah Wise's The Living Markets on CNN Money Switzerland, 20 June 2025, <https://www.cnnmoney.ch/shows/living-markets/videos/women-strike-what-real-message-isabelle-fellrath-swisslegal>

Droit de grève et cause féminine : le temps du silence est révolu, Débats, LE TEMPS, 30 April 2019, p. 8

L'hypocrisie de la réglementation de la prostitution, Débats, LE TEMPS, 19 December 2018, p. 10

Mutilation génitale: une première condamnation pour l'exemple, Débats, LE TEMPS, 19 November 2018, p. 8

Abus sexuels: questionnements sur l'exposition des victimes, Débats, LE TEMPS, 23 February 2018, p. 9

Offsetting Losses and Profits in Case of Breach of Commercial Sale/Purchase Agreements under Swiss Law and the Vienna Convention on the International Sales of Goods, XX PRAXIS DES INTERNATIONALEN PRIVAT UND VERFAHRENSRECHT (2009/4) pp. 1-12 (co-author)

La procédure de gestion des listes de personnes affectées par les sanctions des Nations Unies devant le Tribunal fédéral suisse, *REVUE DE DROIT ADMINISTRATIF ET FISCAL* (2009/I) pp. 146-160 (co-author)

Women Micro-Entrepreneurs In Developing Countries, 6 *EUROPEAN WOMEN ENTREPRENEURS JOURNAL* (1996) pp. 10-22