

# Kluwer Arbitration Blog

## Wolters Kluwer's Tribute to Prof. Eric Bergsten

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*Wolters Kluwer is very sad to learn about the passing of Prof. Eric Bergsten.*

*Eric, as the founder and long-time organizer of the Willem C. Vis International Commercial Arbitration Moot (Vienna Moot), hugely inspired more than a generation of young arbitration lawyers and we cannot thank him enough for his contributions to the arbitration community. At Wolters Kluwer, the Vienna Moot and Eric's leadership of it have also influenced several generations of our colleagues, who all attended the Vienna Moot to network with arbitration experts and students and to present our products and innovations. The comments below bring together some of the fond memories that we at Wolters Kluwer have of the Vienna Moot and of Eric in particular.*

'My first memory of the Vienna Moot is 'second hand'. In 1996 I was on maternity leave and my assistant Marlies Bull attended the Vienna Moot. As a 22-year-old recent graduate, she loved the Moot, having the chance to hang out with the students, while also representing Wolters Kluwer. Since then, we have never missed a year and have seen the Moot grow from a competition among just a handful of universities to the huge event it is now.

A big, glass building, painted Easter eggs in the streets of Vienna, excited students and a kind man with grey hair at the epicenter; this is how I remember Eric and the Moot. I personally attended the event when it was still relatively small. Our booth with books was well-visited and sales were strong. It was also the beginning of future inspirations. We got our first leads to develop Kluwer Arbitration as a then-new research platform, as well as many suggestions for further development of the product. The Moot was a great place to discuss ideas with (potential) authors, as so many eminent arbitration experts were present, either coaching or judging the students. And even though Eric was very busy, he always had time for a chat with us, asking us whether we needed anything.

The Moot is special because of the students who often fell in love with international arbitration at the event and decided to make a career in this field. To develop such a life-changing event in the way that Eric has is an enormous achievement. The arbitration community cannot thank Eric enough for his initiative!

***Gwen de Vries, Director, Content and Market Development***

'At the time I am writing this (it is February 2023) the upcoming Vienna Moot for 2023 is the 30<sup>th</sup>. This means the first Arbitration Moot was in Vienna in 1993. In my personal notes, I see that Kluwer Law & Taxation Publishers was present for the first time in 1996 as a sponsor and an exhibitor. So this means I have actually been at the Moot 20 times. Because of the Vienna Moot, I can walk the streets of Vienna without a map and can give you advice about some very good restaurants. (I retired from Kluwer in 2016, where I was then the Sales & Marketing Director.)

For quite a few years, Kluwer was in fact the only exhibitor present. In the beginning there were some 30 teams. So, it was a very small competition. Kluwer published the first ICCA Yearbook Commercial Arbitration in 1976. So, Kluwer had already been actively publishing arbitration publications for quite some time.

I met with Eric several times during his UNCITRAL days. He is the one who founded the Moot

after he left as the former chief of UNCITRAL. And the basis of this whole idea was of course the Uniform Law for International Sales.

Eric is a charming man, very much down to earth and so very much driven by helping students build their future. And because of his background and his career at UNCITRAL he obviously was the “thinker”. He was the one who came up with the ‘problem’ he wanted the students to work on. And to prepare to compete against students from all over the world.

Eric was also very much a hands-on person. There was always time for a chat and to think about a solution for an issue. At one point I said to him that it was a shame to send books back to our warehouse in the Netherlands, since we would need them back a year later; he then offered to store our boxes in his garage. And we engaged the transport department from the Manz publishers to bring the books and collect them again after the Moot was over.’

***Marcel Nieuwenhuis, Emeritus Sales Manager***

‘I started working with Wolters Kluwer, 16 years ago, just before the 2007 Vienna Moot. And it was either that year, or the following, I was asked to attend and ‘man’ our Wolters Kluwer stand. I didn’t know what to expect but as soon as I arrived, I realized what a big deal the Moot was. I think at that point, approx. 200 teams competed – how times have changed since then!

The buzz around the Moot was very special. Teams busily discussing their case strategies over coffee, networking with fellow students from across the globe (many developing lifelong friendships and working relationships) and gaining inspiration from the many arbitrators in attendance.

What a fantastic and career-inspiring initiative Eric and what a great host you, and Vienna, have been. It has truly impacted the lives of so many. May it continue to inspire future arbitration practitioners for many years to come.’

***Eleanor Taylor, Acquisition Editor***

‘Being with the Wolters Kluwer family for many years, I remember when Marcel Nieuwenhuis went to his 1st Moot and came back with all these exciting stories about the concept and student teams competing. Over the years, I could see the Vienna Moot growing and even expand to Hong Kong. I attend the 2nd Vis East Moot in Hong Kong and finally got to feel the excitement of the Moot.

For the Vienna Moot, I had to wait until 2015 but finally I got to go and man our table with my colleagues. I could not be more excited, after all these years of hearing about it, I got to experience it! During the Friday morning set up, I could already feel the excitement and Saturday morning at 7:30am it started for me. What an absolute joy to be surrounded by students, Professors, and practitioners. Not to forget to meet long-term authors and customers that I have been in contact with for so many years already but never met.

The interaction during breaks was so much fun, hard work for us manning the table but watching

the teams analyzing, asking questions to the Professors and practitioners around, running to our table to check some of our books and hoping to find some answers or confirmations that would help them.

You can tell that the Vienna Moot is a family: arbitrators return each year, students who participated become team coaches or arbitrators. Some of them have become personal friends.

Dear Eric, it was a true pleasure meeting you over the years.

THANK YOU! for founding the Moot in 1993. It has enriched my life so much both professionally and personally.'

***Linda Damen, Global Book Sales Manager***

'When I first attended the Vis Moot together with Marcel Nieuwenhuis, many moons ago, you were still very much involved in the day-to-day organization of the event, despite already having retired. You were instrumental in getting publishers like Wolters Kluwer to attend and to display their publications, convinced that it would enrich the experience for the students and would in time help them progress as arbitration specialists, should they so desire. I recall that during the first years, books were even stored in your own garage! In gratitude for your efforts, we had the pleasure of publishing your *Liber Amicorum* in 2011, edited by Stefan Kröll, Loukas Mistelis, Pilar Perales Viscasillas and Vicky Rogers; I still remember the presentation in the Wiener Konzerthaus and the joy on your face – priceless!

Over time, work was delegated to others, but you remained a constant and binding factor. Ever a gentleman, you always make your rounds, checking to see all was in order and to everybody's liking. Your kindness, friendliness, attention to detail and concern for the students is heartwarming and endearing. I always smile whenever there is a discernable hubbub in the *Dachgeschoß* of the Juridicum – the Professor had arrived! Always patient, always keen to listen to the experiences of the students, students flock to you and listen while you regale them with war stories from the past. I can safely say that you have become part of the Vienna Moot Experience, thank you for making my own unforgettable.'

***Vincent Verschoor, Team Lead Content Manager***

'I was quite young when your brainchild – the Vienna Moot – was born. That's why we never met each other in person. However, the real impact of the Moot on my life can hardly be overestimated. My team took part in the 23rd edition of the competition in 2016. We were young and naive; we didn't have enough legal experience. And suddenly we got into the real world of law, with international liaisons between businesses, many prominent lawyers, and unforgettable atmosphere. Although we weren't successful, this was my first step into the world of arbitration and international business law.

Since then, I have worked on many multi-million-dollar international transactions, completed my (second) master's in international law, and finally joined a large international company where my passion for arbitration is applied and helps others around the world. Could any of this have

happened without your groundbreaking idea that grew into the greatest moot court ever? Definitely, no; and I am incredibly grateful for your indirect contribution to my life.'

**Rostislav Kats, Legal Editor**

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