

Under the auspices of the ICC Institute of World Business Law
in collaboration with the ICC International Court of Arbitration®

ICC Workshop on International Commercial Arbitration

Study of a mock case under the ICC Rules of Arbitration

2 – 4 July 2010
Hong Kong

Hosted by:

BAKER & MCKENZIE

貝克·麥堅時律師事務所

Sponsored by:



SHIN & KIM

EARN

21.5 CLE credits
17.5 MCLE credits
17.5 CPD hours

Discussion leaders

Chairman

Yves Derains, Partner, Derains & Gharavi, France; Vice-chairman, ICC Institute of World Business Law; Former Secretary General, ICC International Court of Arbitration

Speakers

Andrew J. L. Aglionby, Partner, Baker & McKenzie, Hong Kong

Neil Kaplan CBE QC SBS, International Arbitration Advisor, Mallesons Stephen Jaques, Hong Kong

Michael J. Moser, Chairman, Hong Kong International Arbitration Centre, Hong Kong ; Arbitrator, 20 Essex Street Chambers, United Kingdom

Alan Thambiyah, Professional Arbitrator, The Arbitration Chambers, Australia

ICC Representatives

Jason Fry, Secretary General, ICC International Court of Arbitration; Director, ICC Dispute Resolution Services, Paris

Cheng-Yee Khong, Director and Counsel, Secretariat of the ICC International Court of Arbitration – Asia Office, Hong Kong

Programme

Friday 2 July 2010

09.00 am – 06.00 pm

Morning

- International commercial arbitration: an overview of best practices
- Legal developments in Asia-Pacific
- Selecting a seat of arbitration
- What makes a good arbitrator?
- Characteristics and distinguishing features of ICC Arbitration
- Drafting and negotiating the arbitration clause – conditions of validity

Afternoon

- Preparation of the Request for Arbitration and tactics
- Working group session
- Preparation of the Answer to the Request and tactics
- Working group session

Cocktail

Saturday 3 July 2010

09.00 am – 06.00 pm

Morning

- Role of the ICC International Court of Arbitration and its Secretariat before the Terms of Reference
- Selection and appointment of arbitrators – strategy in constituting the arbitral tribunal (point of view of the parties)
- Terms of Reference
- Working group session
- Organisation of the Procedure: from the Terms of Reference to the Hearing

Registration fees

Until 4 June 2010 – Early-bird rate

- ICC members : **990€**
- Non members : **1090€**

After 4 June 2010

- ICC Members : **1290€**
- Non members : **1390€**

Special rate for ICC HK members : **990€**

Special rate for in-house Counsel : **890€**

Venue: **HONG KONG**

Baker & McKenzie

23rd Floor, One Pacific Place
88 Queensway, Hong Kong



Afternoon

- Different procedural approaches – hearings, testimony and other evidence under civil law and common law systems
- An Asian perspective on international commercial arbitration procedures
- Simulation of the hearing

Dinner

Sunday 4 July 2010

09.00 am – 1.00 pm

Morning

- Role of the ICC International Court of Arbitration and its Secretariat (from and after the Terms of Reference)
- The Award – deliberations and dissenting opinions
- Scrutiny of the Award by the ICC International Court of Arbitration
- International commercial arbitration in Asia-Pacific for construction disputes
- Enforcement of arbitral awards in Asia-Pacific
- Costs of arbitration
- Conclusions

Lunch

 **Services**
International Chamber of Commerce
The world business organization
Events Department

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ICC International Court of Arbitration

The ICC International Court of Arbitration is reputed to be the world's leading institution for resolving international commercial and business disputes. It has a distinguished and longstanding history of international dispute resolution spanning 85 years. In 2009 alone, it received a record 817 requests for arbitration worldwide. 13% of all parties involved in ICC arbitrations last year originated from South and East Asia and the Pacific region.

The proliferation of international commercial disputes, many of them involving multiple parties and contracts, is an inevitable by-product of the global economy. Today's business and operating conditions underscore the advantages of arbitration over litigation, especially in cross-border disputes.

Often the parties are from markedly different national, cultural and legal backgrounds who wish to avoid litigation, which is perceived to give a "home advantage" to one side due to potential bias by national courts and unfamiliarity with national court procedures. Parties may also wish to be spared negative publicity arising from open court proceedings. ICC arbitration is an attractive alternative because it is inherently flexible, international and confidential.

ICC Institute of World Business Law

The ICC Institute of World Business Law acts as a think-tank working closely with the ICC's International Court of Arbitration. It was created 30 years ago, to provide research, training and information to the legal profession concerned with the development of international business law. In line with its philosophy of excellence, it proposes trainings, conferences and proposes publications on various specific topics related to international business law.

Secretariat of the ICC International Court of Arbitration

– Asia Office

At the end of 2008, the Secretariat of the ICC International Court of Arbitration established its first branch outside Paris in Hong Kong, dedicated to administering arbitrations. This Asia Office is staffed by a case management team with the professional, cultural and linguistic expertise required for handling cases linked to South and East Asia and brings a new proximity to the Court's services. Parties are now able to file Requests for Arbitration to Hong Kong, instead of Paris, and the Secretariat's communications with parties and arbitrators are facilitated by real-time communication in a common time zone.

To contact the Asia Office, please email Ms KHONG Cheng-Yee at ica8@iccwbo.org or telephone +852 3607 5600

Objective of the workshop

Drawn upon the experience of renowned arbitrators in a multicultural and international environment, the training will meet the practical needs of those involved in international trade and cross-border transactions and will simulate an ICC arbitration, highlighting differences in cultures and legal practices. The different stages of the arbitral proceedings under the ICC Rules of Arbitration are examined from the Request for Arbitration to the Final Award, including the selection and appointment of arbitrators, the Terms of Reference and the arbitral hearing.

Who should participate?

Legal directors and corporate counsel from companies involved in international commercial arbitration, members of the judiciary, practicing and in-house lawyers and legal practitioners advising companies with international transactions.

Working methods

- study of a mock case within working groups limited to roughly 10 - 15 participants. The mock case will be sent to participants before the workshop so that they can read the facts and be prepared for working in groups;
- technical and practical presentations with international experts in international commercial arbitration;
- debate amongst participants and speakers during interactive plenary sessions.

Logistical note

Venue

Baker & McKenzie's offices, 23rd Floor, One Pacific Place, 88 Queensway, Hong Kong

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After 4 June 2010

- ICC Members : **1 290€**
- Non members : **1 390€**

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How to register

Easier, faster and save 20 euros, register online* at www.iccevents.org or complete and return the registration form indicating method of payment to:

E-mail: events@iccwbo.org

Tel: +33 (0)1 49 53 30 42

Fax: +33 (0)1 49 53 30 30

Post: ICC Services / Events Department, 38 Cours Albert 1er, 75008 Paris, France

Registration will be confirmed upon receipt of the registration form and registration fees.

**Secured payment by credit card*

Working language: English

Certification: Participants who will attend the whole Workshop will be given certificates of attendance.

Admission requirements for candidates

Priority will be given to legal practitioners, legal counsels and corporate users. To be admitted, candidates should speak English and have experience in negotiating and managing international contracts. The number of participants is limited to 40 in plenary sessions and 10 in working groups to encourage active participation. All participants are expected to be present for every session.

Travel and accommodation

Participants are responsible for making their own travel arrangements and hotel reservations. A list of hotels in Hong Kong with which ICC has negotiated preferential room rates will be sent upon receipt of the registration form. We are able to send visa invitation letters to support your visa application only after receipt of your registration form and full payment of your registration fees.

Credits and hours

ICC Events is eligible for CLE credit under **New York's** approved jurisdiction procedures, is a State Bar of **California** approved MCLE provider and is a Solicitors Regulation Authority and General Council of the Bar of **England** and **Wales** External CPD Course Provider. Participants at this workshop may qualify for CPD points from the Law Society of Hong Kong.

Cancellation

50% of the registration fee will be refunded if notice of cancellation is received in writing **before 1 June 2010**. **Cancellations after this date are not refundable**. Subject to agreement from ICC Events prior to the event, the registration may be transferred to another person from the same company or organization at no extra charge. Updated registration material will be required. Please note that ICC Events reserves the right to cancel this event or to make minor alterations to the content and timing of the programme or to the identity of the speakers. In the unlikely event of cancellation, delegates will be offered a full refund. ICC Events will not, however, be held responsible for any related expense incurred by the participant.

Sponsorship Opportunities

Companies that choose to become sponsors for the workshop are given many opportunities to profile their business. They receive maximum exposure during the event.

If your company is interested in sponsoring this event, please contact **Aisling Mullett: amt@iccwbo.org or Tel: +33 (0)1 49 53 28 69**

Registration form - S 1025

ICC Workshop on International Commercial Arbitration (Hong Kong, 2–4 July 2010)

PARTICIPANT INFORMATION *(please print or type)*

Title (Mr/ Mrs/ Ms)..... Family name First/given name

Position Company

Address

City/state Zip/postal code..... Country

E-mail (compulsory)..... Phone (.....)..... Fax (.....).....

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E-mail: events@iccwbo.org Tel: +33 (0)1 49 53 30 42 Fax: +33 (0)1 49 53 30 30 Post: **ICC Services / Events Department**, 38 Cours Albert 1er, 75008 Paris, France

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METHOD OF PAYMENT

By credit card:

American Express

Euro/MasterCard

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Card number.....

Expiry date.....

Name of cardholder

Date Signature

By bank transfer: LCL

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Bank Code 30002

Branch Code 04866

Swift: CRLYFRPP

IBAN: FR61 3000 2048 6600 0006 0021 B64

Please indicate the reference “S 1025” and the participant’s name clearly.

DATA PROTECTION INFORMATION

The details you provide on this form will be used for registration purposes. They will be stored in ICC’s databases for the sole use of ICC (the International Chamber of Commerce and its wholly-owned affiliate ICC Services). Under the French law ‘informatique et libertés’ of 6 January 1978, you may have access to these details and request deletions and corrections at any time by contacting ICC at registrationevents@iccwbo.org. The details you provide may be used by ICC to keep you informed of developments in your area of activity through publications, subscriptions, events and other commercial offers. Please indicate if you wish to receive such information: Yes No

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