

ICC & IBA

Mediation Conference

Date of Conference: Monday, 11th November 2013

Venue: Intercontinental Hotel
Dubai Festival City
Dubai, United Arab Emirates

ABOUT THE CONFERENCE:

The **ICC/IBA Mediation Conference** will provide an unique opportunity to learn more about the use of mediation for the time and cost efficient resolution of domestic and international commercial disputes.

In-house counsel experienced in the use of mediation for the resolution of their company's disputes will explain for which types of disputes the results obtained in mediation make more "business sense". External counsel with broad experience representing clients in complex international mediations and some of the world's leading international commercial mediators will share with the audience their lessons learned on how to most effectively propose mediation to the other party, prepare for a mediation and chose the right mediator.

In a final panel, members of the drafting group will present the IBA State Investor Mediation Rules and how they can be used to solve disputes involving states or state entities by mediation.

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CONFERENCE PROGRAMME

7:30 – 8:30 Registration and Coffee

8:30 – 8:45 Welcome on behalf of the Organisers

- **Essam Al Tamimi**, Chairman of ICC UAE Commission on Arbitration & Senior Partner, Al Tamimi & Company (UAE)
- **Sami Houerbi**, Director ICC Arbitration and ADR Eastern Mediterranean, Middle East & Africa; Partner, BKH Law firm (Tunisia)
- **Joe Tirado**, Partner, Global Co-Chair of International Arbitration Winston & Strawn; Senior Vice Chair, IBA Mediation Committee (UK)

8:45 – 9:15 An introduction to Mediation in 30 minutes – what is it and why does it work?

One of the world's leading commercial mediators will take the participants through the specificities of the mediation process: differences to other dispute resolution procedures, the role of the mediator, mediation as interest based procedure, the role of counsel.

- **William Wood QC**, Mediator, Brick Court Chambers (UK)

9:15 – 9:30 Q&A

9:30 – 10:15 What is the added value for the users? Why is it relevant for commercial disputes in the MENA region?

Two experienced in-house counsel will explain when and how they use mediation to resolve complex commercial disputes. A special emphasis will be put on the business' interests behind the use of mediation as dispute resolution procedures.

- **Aasma A. Khan**, Chief Legal Officer, Tameer Holding Investment LLC, Dubai (USA)
- **Michael Ridgeway**, General Counsel, Dubai Financial Services Authority (UAE)
- **Moderator: Diana Paraguacuto-Mahéo**, Lawyer and Mediator, NGO Cohen Amir-Aslani & Associes (USA, France)

10:15 – 10:45 Coffee Break

10:45 – 11:45 How to get it going: Tips and tricks as how one best starts a mediation – both on its own and in conjunction with other dispute resolution proceedings

This panel will discuss how to incorporate mediation clauses into agreements and how to draft them. The panel will also discuss how a party can commence a mediation when there is no prior agreement of the parties to submit their dispute to mediation. A special emphasis will be put on the question as to how a mediation can be combined with other dispute resolution procedures, for example arbitration.

- **Bapsy Dastur**, General Counsel, Head - Legal & Integrity IMA, ABB Dubai (UAE)
- **Jane E Player**, Partner, King & Spalding (UK)
- **Hannah Tümpel**, Manager, ICC International Centre for ADR (France, Germany)
- **Moderator: Joe Tirado**

11:45 – 12:00 Q&A

12:00 – 12:15 Who is the right mediator?

This panel will discuss which criteria make a mediator a good mediator and what are the different possibilities to identify suitable candidates.

- **Geoff Sharp**, Mediator, Clifton Chambers (New Zealand)

12:15 – 12:30 Q&A

12:30 – 14:00 Lunch Break

14:00 – 15:00 Get ready, get set, go: Effective preparation for commercial mediation

This panel will look at the dos and don'ts for effective preparation from three different perspectives.

The user view: How do you prepare internally? Who is involved? How long does it need? Do you need external counsel to prepare properly? What to avoid in preparation?

The counsel view: How do you prepare your client? Which parts shouldn't you forget?

The mediator view: What makes a party well prepared? Which points do you want parties to focus on when preparing? Can parties prepare together? What is the mediator's role in the preparation process?

- **Geoff Sharp**, Mediator, Clifton Chambers (New Zealand)
- **Jawad Sarwana**, Partner, Abraham & Sarwana (Pakistan); Co-editor, IBA Mediation Newsletter (Pakistan)
- **Gordon Tregaskis FCI Arb**, Chartered Arbitrator and Accredited Mediator (UK)
- **Moderator: William Wood QC**, Mediator, Brick Court Chambers (UK)

15:00 – 15:15 Q&A

15:15 – 15:45 Coffee Break

15:45 – 16:30 Mediation with State Parties and state entities

This panel will discuss the specificities of mediation with states or state parties and in particular give an introduction to the IBA Rules for Investor-State Mediation.

- **Ana Joubin Bret**, Partner, JOUBIN-BRET; former Co-Chair of the Taskforce of the IBA Mediation Committee on State-Investor Mediation (France, Switzerland)
- **Moderator: Hannah Tümpel**

16:30 – 16:45 Q&A

16:45 – 17:00 Closing Remarks

ABOUT THE ORGANISERS:

INTERNATIONAL CHAMBER OF COMMERCE (ICC)

ICC is the world business organization, a representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world. The fundamental mission of ICC is to promote open international trade and investment and help business meet the challenges and opportunities of globalization. ICC was founded in 1919 and has today national committees in over 90 countries. It groups hundreds of thousands of member companies and associations from over 120 countries.

The dispute resolution services offered by ICC for the resolution of domestic and international commercial disputes, are today considered to be world leading and are delivered by the ICC International Court of Arbitration ("Court") and the ICC International Centre for ADR ("Centre").

ICC INTERNATIONAL CENTRE FOR ADR

The Centre administers inter alia all amicable dispute resolution proceedings filed with the ICC, such as mediations. The Centre has administered in the last decade domestic and international mediations with parties from over 70 countries. Around 10% of the mediations involved states or state entities. The Centre is also in charge of organizing the ICC International Commercial Mediation Competition, the only moot worldwide dedicated to international commercial mediation, as well as various conferences and trainings on mediation worldwide.

ICC UAE:

The International Chamber of Commerce United Arab Emirates (ICC UAE) Chapter is one of ICC's national chapters. It represents the commercial, industrial and business enterprises in the country at a global level. It complements and strengthens the activities of the UAE business community. Founded in 2004, the Chapter endeavours to modernize the UAE industry, business and trade to world-class standards. While encouraging more domestic and foreign investment in the UAE, the ICC UAE Chapter deals with national and international legal, financial and administrative matters of its Members.

INTERNATIONAL BAR ASSOCIATION (IBA)

The International Bar Association (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies.

The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 50,000 individual lawyers and over 200 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community.

Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe.

THE IBA MEDIATION COMMITTEE

The Mediation Committee has over 1,000 members. It has set up study groups which analyse various topics, holds a committee blog, organises regional events and aims to contribute to the training of students in mediation through competitions, such as the IBA Dispute Resolution Section Scholarship and has two sub-committees: one focused on Investor-State Mediations and the other one on Young Mediators.

REGISTRATION DETAILS

Registration Fees

The registration fee includes all conference documentation, coffee breaks, lunch and cocktail reception. Travel and hotel expenses are not included.

Early Bird special until 10 October 2013

☐ Regular Registration Fee AED 1200

☐ ICC/IBA Members Fee AED 800

After 10th October 2013

☐ Regular Registration Fee AED 1500

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How to Register

Register Online at www.iccuae.com

Or return the registration form indicating method of payment to:

e-mail : habib@iccuae.com

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

Cancellation of Registration

50% of the registration fee will be refunded if notice of cancellation is received in writing before 10th October 2013. Cancellations after this date are not refundable. Subject to agreement from ICC UAE prior to the event, the registration may be transferred at no extra charge to another person from the same company or organization as the original participant. Updated registration material will be required.

Please note that we reserve 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. We will not, however, be held responsible for any related expense incurred by the participant.

Travel Arrangements and Visas

Participants are responsible for making their own travel arrangements and hotel reservations. Details of the hotel, with which ICC UAE has negotiated preferential room rates, will be sent to you upon receipt of the registration form. We are able to dispatch visa invitation letters to support your visa application only after receipt of your registration form and full payment of your registration fees.

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Method of payment

Payment can be made either by cheque or transfer to our below account.

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