

# Choice of the arbitrator

## CONDITIONS OF A RENEWED LEGITIMACY

Under the auspices of the **ICC Institute of World Business Law** and



**EARN**  
5 CLE credits  
4 MCLE credits  
4 CPD hours\*  
4 CNB hours\*

**Date:** Monday 21 October 2013

**Venue:** Centre de Conférences Paris Trocadéro  
112, avenue Kléber  
75016 Paris, France

### The ICC Institute of World Business Law

The ICC Institute of World Business Law acts as a think-tank working closely with the ICC International Court of Arbitration. Its Council is composed of 40 members of 21 nationalities, all experienced professionals or academics in international business law or international commercial arbitration. Created over 30 years ago, the Institute provides 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 publications, trainings and conferences on different topics related to international business law.

### The Corporate Counsel International Arbitration Group (CCIAG)

The Corporate Counsel International Arbitration Group (CCIAG) is an association of corporate counsel from over 90 multinational companies from all around the world focused on international dispute resolution. With the status of observer at UNCITRAL, it serves as the voice of the users and as a forum where corporate counsel share their concerns and practices. The CCIAG has recently expanded its scope from international arbitration to dispute resolution and entered into collaboration with the IMI.

With this first conference, the ICC Institute and the CCIAG wish to enable a true discussion among some of the key actors in the field on the fundamental issues of the choice of an international arbitrator and the conditions to its legitimacy in a globalized arbitration market.

### Who should attend?

Eminent arbitrators, practising lawyers involved in international commercial arbitration, corporate counsel and lawyers in industry concerned with the arbitral process.

**On personal invitation only.**

**Conference held under the Chatham House rules.**



International Chamber of Commerce

*The world business organization*

*\*approval for these credits has been requested*

# PROGRAMME AND SPEAKERS

**1pm - 1:30pm** Registration

**1:30pm - 6:30pm**

## INTRODUCTION

- Introductory address  
**Yves Derains**, Chairman, ICC Institute of World Business Law; Founding Partner, Derains & Gharavi
- New paradigm – Expectations and responsibilities of the parties  
**Isabelle Hautot**, Chair, CCIAG; General Counsel Dispute Resolution, ORANGE

## 1<sup>st</sup> ROUND TABLE

### Trust, legitimacy & source of authority: cross considerations on principles and practice

#### Moderator:

**Jean-André Diaz**, Special Counsel, TOTAL; Former Chair, CCIAG

- A continental perspective  
**Antoine Garapon**, former Judge; Secretary General, IHEJ
- An English perspective  
**Anthony Hooper**, former Judge of the Court of Appeal of England and Wales
- An international perspective  
**Jan Paulsson**, Professor, University of Miami & London School of Economics; Advocate ; Council Member, ICC Institute of World Business Law

#### Discussion

## 2<sup>nd</sup> ROUND TABLE

### The arbitrator selection today: how does the “system” work ? What is wrong with it ?

#### Moderator:

**Wolf Von Kumberg**, Assistant General Counsel and European Legal Director, NORTHROP-GRUMMAN; Member, CCIAG and IMI

#### 1. Who is really in charge of the selection?

- The delegation of appointing authority by the Users,  
**Emmanuel Vuillard**, Corporate Legal Advisor, ALSTOM; Alternate Member, ICC International Court of Arbitration; Council Member, ICC Institute of World Business Law
- How does it really work at the ICC?  
**Andrea Carlevaris**, Secretary General and Director of Dispute Resolution Services, ICC International Court of Arbitration
- How does it really work at the LCIA ?  
**Andrew Clarke**, General Counsel ESSO UK; Member, LCIA; Former Chair, CCIAG

- How does it really work at the ICDR ?  
**Mark Appel**, Senior Vice-President EMEA, ICDR

#### 2. The need for information and transparency

- The International Arbitrator Information Project,  
**Catherine Rogers**, Professor, Penn State Law University & Queen Mary
- Trusting/Qualifying new Arbitrators – Lessons from Mediation?  
**Irena Vanenkova**, Managing Director, IMI

#### Discussion

## 3<sup>rd</sup> ROUND TABLE

### The number of arbitrators & the challenges of efficiency and legitimacy

#### Moderator:

**Jean-Claude Najar**, Curtis, Mallet-Prevost, Colt & Mosle LLP; Founder, CCIAG

#### 1. Is the sole arbitrator the way to go?

- What is at stake?  
**Emmanuel Gaillard**, Professor, Sciences-Po; Head, International Arbitration Group, Shearman & Sterling LLP
- Cross perspectives:  
**Volker Mahnken**, Senior Counsel Litigation, SIEMENS; Member, CCIAG
- Cross perspectives:  
**José Rosell**, Co-Chair, Arbitration & ADR Group, Hughes Hubbard & Reed LLP; Member, ICC Institute of World Business Law

#### 2. Is the delegation of powers to the institutions the way to go ?

- What is at stake?  
**Catherine Kessedjian**, Professor, University of Panthéon-Assas Paris II
- Cross perspectives  
**Pierre Charreton**, Group General Counsel & Chief Administrative Officer, AREVA; Member, CCIAG
- Cross perspectives:  
**David W. Rivkin**, Co-Chair, International Dispute Resolution Group, Debevoise & Plimpton LLP

#### Discussion

## Concluding remarks & closing address

**Yves Derains & Isabelle Hautot**

**6:30pm**

Cocktail reception

# LOGISTICAL NOTES

## Registration fee

☐ €175\* (€209.30)

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## How to register

**Easier and faster: register online** (secured payment by credit card) **at [www.iccevents.org](http://www.iccevents.org)**

Or return the registration form indicating method of payment to:

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**Tel:** +33 1 49 53 28 67

**Fax:** +33 1 49 53 30 30

**Post:** ICC Services, Training and Conferences, 38, Cours Albert 1er, 75008 Paris, France

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

## Travel and accommodation

Participants are responsible for making their own travel arrangements and hotel reservations. A **list of hotels** in Paris, with which ICC 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..

## Working language

English

## Credits and hours

ICC Training and Conferences 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. **French Bars:** This conference has been sent for CNB approval. Lawyers practising in France may apply for reimbursement of this course before the FIFPL (Fonds Interprofessionnel de Formation des Professionnels Libéraux), subject to terms and conditions.

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### REGISTRATION FORM S 1309

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

Date **Monday 21 October 2013**  
Venue **Centre de Conférences Paris Trocadéro**  
112, avenue Kléber, 75016 Paris, France

**Participant information**  
(Please print or type)

Title (Mr/Dr/Mrs/etc.) \_\_\_\_\_  
Family name \_\_\_\_\_ First/given name \_\_\_\_\_  
Position \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
City/state \_\_\_\_\_ CEP/postal code \_\_\_\_\_  
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**Registration fee**

☐ **€175\*** (€209.30)  
\*excl. VAT 19.6%

**Method of payment**

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