



WORLD LAUNCH ICC MEDIATION RULES

Conference Programme

Paris, France — 4 December 2013 pm

Hôtel de Talleyrand

2 rue Saint Florentin
75001 Paris

About the conference

This conference will unveil the new ICC Mediation Rules. It will provide participants with an understanding of the nature, purpose and operation of the new Rules prior to their entry into force on 1 January 2014.

The ICC Mediation Rules are the result of work conducted by a Task Force of mediation and dispute resolution specialists from 29 countries under the auspices of the Commission on Arbitration and ADR, ICC's rule-making and research body.

The Rules will be administered by the ICC International Centre for ADR. They replace the ICC ADR Rules, which have been used for amicable dispute resolution since 2001.

Topics include

- The relevance of mediation to businesses today
- An overview of the Mediation Rules and their genesis
- Initiating proceedings under the Mediation Rules
- ICC's role in finding a fitting mediator for the dispute
- Practice tips for conducting mediation proceedings

Conference format

The Conference will consist of speeches and interviews, plus interactive discussions and exchanges with the audience.

Language

English

Audience

Anyone wishing to learn more about the new Mediation Rules, in particular in-house counsel, company executives and management staff, lawyers, mediators and other dispute resolution specialists.

For further information

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ICC MEDIATION RULES

PROGRAMME AND SPEAKERS

13:00 — 14:00

Registration and coffee

14:00 — 14:10

Words of welcome and introduction

Speaker: Andrea Carlevaris

Director, ICC Dispute Resolution Services and Secretary General, ICC International Court of Arbitration (Italy)

Speaker: Hélène van Lith

Secretary to the ICC Commission on Arbitration and ADR and Member of the Drafting Group for the Revision of the ICC ADR Rules (The Netherlands, France)

14:10 — 14:40

Why mediate? Mediation's relevance to businesses today

More and more companies are realizing that mediation makes sound business sense.

Why is it in a company's interest to settle complex, international commercial disputes through mediation?

How have companies made mediation a central part of their dispute resolution strategy?

Why do companies choose administered mediation?

This session will present two users' views on the importance of mediation in today's business world.

Speaker: Kai-Uwe Karl

Senior Counsel Litigation, GE Oil & Gas, Member of the Task Force for the Revision of the ICC ADR Rules (Italy)

Speaker: Abhijit Mukhopadhyay

President (Legal), Hinduja Group, London (UK)

Moderator: William Wood

QC, Mediator, Brick Court Chambers (UK)

14:40 — 14:55

ADR becomes Mediation: The drafting of the new ICC Mediation Rules

A behind-the-scenes look at the genesis of the new Rules by the Chair of the ICC Commission which oversaw their drafting. As well as acquiring an overview of the new Rules, you will discover what the guiding principles for the revision process were, why ICC decided to change from "ADR" to "Mediation", and whether other forms of amicable dispute resolution are still covered by the new Rules.

Speaker: Peter Wolrich

Chair, ICC Commission on Arbitration and ADR and Member of the Drafting Group for the Revision of the ICC ADR Rules; Managing Partner, Curtis Mallet-Prevost Colt & Mosle (USA)

14:55 — 15:15

Getting started: How to initiate proceedings under the ICC Mediation Rules (Articles 2 and 3)

How do you commence an ICC mediation when there is a prior agreement to submit the dispute to mediation? What should be included in a Request?

How do you convince a counterparty to mediate when there is no such prior agreement? How can ICC help parties achieve a dialogue?

Speaker: Hannah Tümpel

Manager, ICC International Centre for ADR and Member of the Drafting Group for the Revision of the ICC ADR Rules (Germany)

Speaker: Ana Sylvia Prado

Deputy Manager, ICC International Centre for ADR (Brazil)

15:15 — 15:25

Questions and answers

15:25 — 15:55

The mediator: Finding the right person for your dispute (Article 5)

An experienced outside counsel will quiz two members of the ICC International Centre for ADR for answers to such questions as:

How does the nomination and appointment process work under the new Rules?

How does ICC identify a suitable mediator for a specific case?

How can parties request a list of potential candidates?

What attributes are required of a mediator in an international commercial mediation?

Can parties object to the appointment of a mediator?

Speaker: Calliope Makedon Sudborough

Deputy Manager, ICC International Centre for ADR (USA, Greece)

Speaker: Mathilde Vital Durand

Deputy Manager, ICC International Centre for ADR (France)

Moderator: Roland Ziadé

Member of the Paris, New York and Beirut Bars, Cleary Gottlieb Steen & Hamilton LLP (Lebanon, France)

15:55 — 16:05

Questions and answers



16:05 — 16:30

Coffee break

16:30 — 17:00

Conduct of the proceedings: Avoiding and overcoming hurdles, dealing with confidentiality (Articles 4, 7 and 9)

How are mediations conducted under the new Rules?

How can agreement on the language(s) and place of the mediation be achieved if the parties cannot see eye to eye?

How is the obligatory initial discussion between the mediator and the parties organized?

What do the mediator and the parties need to decide about the conduct of the proceedings?

Two experienced ICC mediators will share their insights.

Speaker: Birgit Sambeth Glasner

LL.M, Mediator & ADR Neutral, Partner, Altenburger Ltd Legal & Tax (Switzerland)

Speaker: Patrick Leynseele

Member of the Brussels and New York Bars, Partner, Dal & Veldekens (Belgium)

17:00 — 17:10

Questions and answers

17:10 — 17:30

Money matters: Costs and payments (Article 6 and Appendix)

Who pays for what and when? What happens if one party does not fulfil its payment obligations under the Rules? The financial provisions of the new Rules will be explained to participants with illustrations of their consequences in different situations.

The Appendix to the Rules will also be discussed, including how mediators' fees and the ICC administrative expenses are fixed.

Speaker: Emmanuel Jolivet

General Counsel, ICC and Deputy Director, ICC Dispute Resolution Services (France)

Commentator: Christine Guerrier

VP Dispute Resolution & Litigation, Corporate Legal & Contract Department, Thales Group (France)

17:30 — 17:40

Questions and answers

17:40 — 18:10

The new ICC model clauses for mediations

The new ICC Mediation Rules are accompanied by a set of new model clauses for use in contracts. This comprehensive presentation of the new clauses will include an explanation of the circumstances for which each clause is appropriate.

You will also be alerted to the various considerations to keep in mind when drafting an ICC mediation or escalation clause.

Speaker: Christopher Newmark

Vice-Chair and incoming Chair, ICC Commission on Arbitration and ADR and Chair of the Task Force and Member of the Drafting Group for the Revision of the ICC ADR Rules; Partner, Spenser Underhill Newmark (UK)

Speaker: In-house counsel international telecommunication company (to be confirmed)

18:10 — 18:20

Questions and answers

18:20 — 18:30

Closing remarks

18:30 — 20:30

Cocktail reception



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ICC MEDIATION RULES LOGISTICAL NOTES

Date Wednesday 4 December 2013

Venue Hôtel de Talleyrand, 2 rue Saint Florentin, 75001 Paris, France

Registration fee

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

Early Bird Special until 8 November 2013

- ☐ Regular registration fee €250
- ☐ ICC members €175
- ☐ Task Force members €100

After 8 November 2013

- ☐ Regular registration fee €350
- ☐ ICC members €275
- ☐ Task Force members €200

How to register

Return the completed registration form to ICC, addressed to the attention of Claudia Pansa by

Email: claudia.pansa@iccwbo.org

Fax: + 33 (0)1 49 53 57 19

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

Cancellation of registration

50% of the registration fee will be refunded if notice of cancellation is received in writing before 15 November 2013. Cancellations after this date are not refundable.

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, participants will be offered a full refund of their registration fee. However, we will not be held responsible for any related expenses incurred by the participant.

Travel arrangements and visas

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.

Promotional literature

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ICC MEDIATION RULES REGISTRATION FORM - S 1452



Wednesday 4 December 2013

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

Title (Mr/Dr/Mrs/etc.)
Family name First/given name
Position
Company
Address
City/state CEP/postal code
Country Email
Tel (.....) Fax (.....)

Registration fee Early Bird Special until 8 November 2013

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☐ ICC members €175
☐ Task Force members €100

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