

# 4<sup>TH</sup> GLOBAL ICC YAF CONFERENCE

New York City, 27 – 29 June 2013

**EARN**  
a maximum of 12  
CLE hours of  
New York CLE

“ The ICC YAF Global Conference is a must-attend event. It is ICC’s young arbitration event of the year! ”

## What is ICC YAF?

The ICC Young Arbitrators’ Forum (“ICC YAF”) provides young arbitration practitioners from around the globe with opportunities to meet and discuss current issues facing the international arbitration practice as well as networking opportunities.

In addition to numerous local and regional events, the ICC YAF hosts a global conference every two years which is an occasion for young arbitration practitioners to come together and get involved in the kind of top level debates that are often reserved for the most experienced practitioners.

## What to expect?

The conference will kick off with a welcome cocktail on 27 June, followed on 28-29 June, by a two day program which will include two keynote addresses, one “world café” style session, the choice of two workshops and two dynamic multi-regional panels.

All sessions will be highly interactive. Topics will be deliberately controversial to foster active debate.

The programme also provides time for networking and social activities such as the visit of a museum, or enjoying the new High Line Park, taking a stroll through the market and relaxing at a beer garden.

In an informal and fun social atmosphere, participants will strengthen links within the young arbitration community and interact with some of the “stars” and “rising stars” of international arbitration while enjoying the sights of New York.

## Who should attend

The conference is aimed at arbitration and dispute resolution practitioners in particular those of 40 years and under: counsel, arbitrators, corporate counsel or academics from all corners of the Globe, YAF members and non-YAF members alike.

## Hosted by



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Programme

## 27 June 2013

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**7pm** *Welcome Cocktail*

## 28 June 2013

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**8:30am - 9am** *Welcome coffee & Registration*

**9am - 9:15am**

### **Welcome address**

**José Ricardo Feris**, Co-Chair, ICC YAF Global Coordinating Committee; Deputy Secretary General, ICC International Court of Arbitration, Paris

**Stephanie Goubelle**, Events Manager, ICC YAF, ICC International Court of Arbitration, Paris

**Hannah Tümpel**, Co-Chair, ICC YAF Global Coordinating Committee; Manager, ICC International Centre for ADR

**9:15am - 10:15am**

### **Opening Keynote Address: Fostering Legitimacy in International Arbitration**

**Salim Moollan**, Essex Court Chambers, London; Chairman, United Nations Commission on International Trade Law (UNCITRAL) Arbitration Working Group; Vice-President, ICC International Court of Arbitration

**10:15am - 10:45am** *Coffee Break*

**10:45am - 12:45pm**

### **Debate - Defying Investment Arbitration: Moral Hazards, Perceived Injustices and the Coming of a New Age**

State representatives, investors, arbitration practitioners and academics will debate some of the criticisms and controversial topics concerning the state of affairs in the investment arbitration system. The discussion will touch upon states' increasing criticism of the existing system, the "Moral Hazards" as developed by Jan Paulsson, the critical views formulated for example in the report "Profiting from Injustice" published by Corporate Europe Observatory, the ideas raised by Sundaresh Menon in the "Coming of a New Age" speech, as well as new developments towards reforming the efficiency of the system, for example through the new IBA State-Investor Mediation Rules.

**Suzana M. Blades**, Senior Counsel, ConocoPhillips, Houston

**Leidylin Contreras**, Lawyer, Office of the legal Advisor to the President, Presidency of the Dominican Republic, Santo Domingo (invited)

**John Crook**, Professor, George Washington University Law School, Washington

**Anna Joubin-Bret**, International Investment Lawyer, Paris; Former Senior Legal Advisor on Investment, Technology and Enterprise Development of the U.N. Conference on Trade and Development (UNCTAD)

**Sophie Nappert**, Arbitrator, Three Verulam Buildings (3VB) Chambers, London

### **Moderators:**

**James Morrison**, Senior Associate, Allens Linklaters, Sydney

**Maxi Scherer**, Special Counsel, Wilmerhale; Senior Lecturer, Queen Mary University of London, School of International Arbitration London

**12:45pm - 2pm**

*Lunch*



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**2pm - 4pm**

## **World Café Session - International Arbitration: Realities and Challenges**

World Café is an interactive format which allows all delegates to participate actively in a series of simultaneous debates. Delegates will be invited to join different groups animated by ICC YAF Regional Representatives to discuss a variety of hot topics including:

- How would you define a good arbitrator? And how can you test it?
- Should there be a Code of Ethics for counsel in international arbitration? If so: why? If not, why not? And what should such code include?
- Should gender diversity in international arbitration be actively fostered and if so, how?
- Who offers the better services: arbitration boutiques or full service law firms?
- The more, the merrier? How many arbitration institutions does the world need? How can we ensure their quality?
- Behind closed doors? How much of the institutions' work needs to be made public?
- Young Practitioners Groups: are they working? Can they do better?
- What are the greatest hurdles that newcomers face to become arbitration practitioners and how can they be overcome?
- Arbitration-life balance: is it possible?

## **Moderators**

**John Adam**, Associate, Shearman & Sterling LLP, Paris

**Timur Aitkulov**, Partner, Clifford Chance CIS Limited, Moscow

**Andrew Battisson**, Counsel, International Arbitration Group, Allen & Overy, Singapore

**Rodrigo Bordachar**, Partner, Bordachar, Alvear, Meneses, Montes & CIA, Santiago de Chile

**Tina Cicchetti**, Counsel, Fasken Martineau DuMoulin LLP, Vancouver

**Ania Farren**, Special Counsel, K&L Gates LLP, London

**Octavio Fragata M. de Barros**, Attorney at Law, Barbosa, Müssnich & Aragão, Rio de Janeiro

**Katherine Gonzalez Arrocha**, Regional Director, ICC International Court of Arbitration, ICC Dispute Resolution, Latin America, Panama City

**Lara Hammoud**, Associate, Shearman & Sterling LLP, Abu Dhabi

**Sami Huerbi**, Regional Director, ICC International Court of Arbitration, ICC Dispute Resolution, Africa & Middle-East, Tunis

**Alina Leoveanu**, Deputy Counsel, Head of ICC YAF Europe & Russia Chapter, ICC International Court of Arbitration, Paris

**Kolawole Mayomi**, Senior Associate, Aluko & Oyeboode LLP, Lagos

**Christa Mueller Garcia**, Associate, Noriega & Escobedo, A.C., México City

**Chris Parker**, Partner, Herbert Smith Freehills LLP, New York

**Eridania Perez**, Partner, Patton Boggs LLP, New York

**Ryham Ragab**, New York

**Humberto Saenz-Marinero**, Partner, Saenz & Asociados, San Salvador

**Eva Storskrubb**, Senior Associate, Roschier, Stockholm

**Stamatios Tsetos**, Partner, Leboulanger & Associés, Athens and Paris

**Greig Taylor**, Managing Director, FTI Consulting, New York

**Suzanne Ulicny**, Deputy Director, Arbitration & ADR North America, ICC International Court of Arbitration, New York

**Nicolas Wiegand**, Partner, CMS Hasche Sigle, Munich

**4pm - 4:30pm**

*Coffee Break*

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## Programme

**4:30pm - 6:30pm**

### **Roundtable - Applying the Law: A global approach**

A truly diverse group of young arbitration practitioners featuring moderators and speakers from North America, Latin America, Western Europe, Eastern Europe, Africa, Middle East, South-East Asia, Central Asia and the Pacific, will conduct a dynamic roundtable where each speaker will give his or her own regional perspective on the following topics:

- Determining the applicable law: la voie directe, the parties' intentions and the arbitrator's discretion
- Good faith, and general principles of law: their role in dispute settlement
- Deciding on equity: how?
- Lex Mercatoria: is it relevant?
- Fusion of legal systems: civil law, common law and sharia law
- Juggling with mandatory provisions potentially applicable to the dispute: the seat, the contract and the place of enforcement
- Tensions between model contracts and the law applicable to them

**Milena Djordjevic**, Assistant Professor, University of Belgrade Faculty of Law, Belgrade

**Franco Ferrari**, Director, Center for Transnational Litigation and Commercial Law, New York University School of Law, New York; Professor, Verona University School of Law, Verona

**Renato Grion**, Partner, Pinheiro Neto, Sao Paulo

**Lubnah Katbeh**, Partner, Equity Legal Group, Ramallah

**Tunde Ogowewo**, Professor Kings College London; Counsel/Arbitrator, TOALAWGROUP, Abuja

**Vanina Sucharitkul**, Senior Associate Herbert Smith, Bangkok; Member, ICC International Court of Arbitration

**Nancy Thevenin**, Special Counsel, Baker & McKenzie LLP, New York

### **Moderators**

**Neeti Sachdeva**, Senior Associate, Economic Laws Practice, Mumbai

**Simon Greenberg**, Partner, International Arbitration Group, Clifford Chance Europe LLP, Paris

**8pm**

***Dinner & Party***



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Programme

29 June 2013

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**9am - 9:30am**

*Coffee*

**9:30am - 11:30am**

**Choice of Two Interactive Workshops**

**1) Communicating effectively in cross-cultural settings: Applying 10 neuro-principles to successful arbitration**

Conducted by:

**François Bogacz**, CEO, Neuroawareness Consulting Services Inc., La Jolla, California

This workshop will focus on the impacts of neurobiology on arbitrators and counsel in arbitration: what should arbitrators and counsel know about the way the brain works to maximize their effectiveness and well-being?

This workshop is intended to help participants develop an awareness of their behaviors when acting in arbitrations and other dispute resolution proceedings. The workshop will present in an interactive way 10 key neuro-principles derived from the latest research in neuroscience and behavioral psychology. This workshop is intended to help all arbitration practitioners to reflect upon their practice, develop new skills and improve their cross-cultural communication and self-awareness.

**2) Calculating damages in international arbitration**

Conducted by:

**Andrea Cardani, Ettore Comi and Daniel Flores**, Econ One Research, Inc., Washington D.C.

This interactive workshop will focus on quantum and damages analyses in international arbitration. The hypothetical case of ClubHotel v. San Theodoros Resort Development Corporation will be studied. Workshop participants will learn the basic facts of the case and then have the opportunity to examine the analyses presented by two mock expert witnesses.

The goal of the workshop is to “demystify” quantum and damages analyses, with an emphasis on practice rather than theory. The seminar is targeted to lawyers with little or no training in economics or finance, and can also be enjoyed by lawyers with prior exposure to valuation issues.

The workshop will be facilitated by three economists, who have extensive experience in providing expert reports and oral testimony in arbitrations under ICC, ICSID, UNCITRAL, and IACAC rules.

**11:30am - 12:00pm**

*Coffee Break*

**12:00pm - 1pm**

**Closing Keynote Address: Appointing a young(er) arbitrator: why and why not?**

**Lucy Reed**, Co-head International Arbitration Group, Freshfields Bruckhaus Deringer, Hong Kong

**1pm - 1:15pm**

*Closing Remarks*

**1:15pm - 2:30pm**

*Lunch*

**3pm**

*Choice of cultural activities*

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Logistical and registration information

## Welcome Cocktail on 27 June 2013:

**Venue:** Baker & McKenzie  
452 Fifth Avenue  
New York, New York 10018

## Conference and lunches

### 28-29 June 2013:

**Venue:** New York University School  
of Law - Greenberg Lounge  
Center for Transnational  
Litigation and Commercial Law  
40 Washington Square South  
New York, NY 10012

## Working language:

English

## Dress code:

Casual

## Travel and Accommodation:

Participants are responsible for making their own travel arrangements and hotel reservations. A list of suggested hotels will be sent to participants upon confirmation of registration.

## Cancellation:

50% of the registration fee will be refunded if notice of cancellation is received in writing before 15 May 2013. Cancellations after this date are not refundable. Subject to agreement of the ICC YAF Global Coordinating Committee (GCC) 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 the ICC YAF GCC 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 YAF GCC will not, however, be held responsible for any related expense incurred by the participant.

## Sponsorship opportunities:

ICC YAF welcomes sponsorship offers from law firms for this event that will provide maximum exposure and visibility.

If your law firm or your company is interested in sponsoring this event, please contact: [stephanie.goubelle@iccwbo.org](mailto:stephanie.goubelle@iccwbo.org)

## CLE Accreditation:

Approval for 19 CLE credits has been requested. Attendees of this event will be eligible for CLE credit hours for the state of New York.

## Dinner & Party 28 June 2012

**Venue:** The Heartland Brewery  
The Empire State Building  
350 Fifth Avenue  
New York, NY 10118

## Cultural Activities 29 June 2012:

**Option 1:** Guggenheim Museum  
1071 5th Ave  
New York, NY 10128  
Visit with a guided tour

**Option 2:** The Standard Beer Garden  
High Line Park  
Built on an historic freight rail  
line, elevated above the streets  
of Manhattan's west side  
848 Washington at 13<sup>th</sup> Street  
New York 10014



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Registration form – Please complete and return to: [arbevents@iccwbo.org](mailto:arbevents@iccwbo.org)

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

Title (Mr/Dr/Mrs/etc.):

Family name:

First/given name:

Position:

Company:

Address:

Zip/postal code:

City/state:

Country:

Email:

Phone:

Fax:

## Registration fee: *(Please tick the appropriate box.)*

Until 22 May 2013: Early bird Rate

After 22 May 2013

☐ €150 (approx. \$200)

☐ €230 (approx. \$300)

*The registration fee includes all seminar activities(\*) including documentation, Friday and Saturday lunches, coffee breaks, cocktails on Thursday, Friday night dinner at a typical NY style Brewery, and social activities on Saturday. Travel and hotel expenses are not included.*

*(\*) Subject to last minute changes and modification by the organizers.*

## Method of payment:

By credit card:

☐ American Express

☐ Euro/MasterCard

☐ Visa

Card number:

Expiry date:        /        /

Name of cardholder:

## Choice of activity for 29 June 2013, 3pm – 6pm

Please tick the appropriate box according to your preference:

☐ Option 1: Guggenheim Museum – Visit with a guided tour

☐ Option 2: The Standard Biergarten, Highline Park

Date:        /        /

Signature:

## Are you a YAF Member?

If you are not yet a member and you would like to become one, you can register directly on the ICC website by clicking on the link below – it is free and easy!

<http://w.iccwbo.org/training-and-events/young-arbitratom/join-the-icc-yaf/>

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 [arbevents@iccwbo.org](mailto:arbevents@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.

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