

ICC Arbitration Today: Arbitrator Independence

Under the auspices of the
International Court of Arbitration®

Date: Monday, September 24, 2007

Venue: Hilton New York
1335 Avenue of the Americas
New York, NY 10019, USA

International Court of Arbitration®

The ICC International Court of Arbitration has a distinguished and long-standing history of international dispute resolution. In 2006 alone, it received almost 600 requests for arbitration from all over the world. Of the 1,613 parties involved in the cases filed with the ICC Court in 2006, 11.9% came from North America.

ICC Dispute Resolution Services

ICC Dispute Resolution Services provides international business with alternatives to court litigation. Through its Arbitration Committee, USCIB provides legal referrals and answers questions regarding the dispute resolution process. The ICC has developed a wide range of alternatives to court litigation including arbitration and runs one of the most respected and widely used courts of international commerce dispute resolution.

With the support of

The United States Council for International Business (USCIB)

USCIB is the U.S. National Committee to the International Chamber of Commerce (ICC). USCIB's Arbitration Committee serves as the contact point for the International Court of Arbitration and its multi-faceted dispute resolution services. The committee provides assistance in the nomination of arbitrators, makes referrals to parties seeking attorneys, organizes seminars and corporate roundtables, and answers questions regarding the arbitration process and ICC Dispute Resolution Services.



International Chamber of Commerce
The world business organization



Program

September 24, 2007

Morning

8:00 – 9:00

Registration

9:00 – 9:15

Welcome and Introduction

- **Josefa Sicard-Mirabal**, Director, Arbitration & ADR, North America, ICC International Court of Arbitration
- **Jason Fry**, newly appointed Secretary General, ICC International Court of Arbitration

9:15 – 10:15

Independence and Impartiality

This panel will explore views and opinions on the requirements of arbitrator independence from the perspectives of a party, a party's counsel, an arbitrator, and academia. Issues concerning impartiality and bias will be addressed.

- **Gerald Aksen**, Former Partner, Thelen Reid Brown Raysman & Steiner LLP; former Vice Chairman of the ICC International Court of Arbitration
- **Mark Beckett**, Chair, USCIB Arbitration Committee; Partner, Latham & Watkins LLP
- **Louis Epstein**, Vice President & Deputy General Counsel, Transammonia, Inc.
- **William (Rusty) Park**, Professor, Boston University School of Law

10:15 – 10:35

Questions from Participants

10:35 – 10:55

Break

10:55 – 12:00

Panel of Former ICC International Court of Arbitration Secretary Generals

This panel of former Secretary Generals of the ICC International Court of Arbitration will discuss the history and development of the ICC Rules and practice with respect to the requirement that all arbitrators in ICC arbitrations be independent. The discussion will focus particularly on arbitrators' disclosure obligations under the ICC Rules and how the ICC Court evaluates objections to party-nominated arbitrators in deciding whether or not to confirm the arbitrator at issue to serve on the arbitral tribunal.

- **Anne Marie Whitesell**, Secretary General (2001-2007)
- **Horacio Grigera Naón**, Director, International Arbitration Program, American University Washington College of Law; Secretary General (1996-2001)
- **Eric Schwartz**, Partner, LeBoeuf, Lamb, Greene & MacRae LLP; U.S. Alternate member of the ICC International Court of Arbitration; Secretary General (1992-1996)
- **Steve Bond**, Partner, White & Case LLP; Secretary General (1985-1991)

12:00 – 12:30

Questions from Participants

12:30 – 2:00

Lunch

Program

September 24, 2007

Afternoon

2:00 – 3:30

Mock ICC Court Plenary Session

During this session, participants will observe a mock ICC Court plenary session where the ICC Court is called upon to decide challenges to arbitrators serving in ICC cases. Invited to participate in this mock session are current ICC Court members from around the world including, Michael Bühler (Germany), Fernando Estavillo Castro (Mexico), Michael Hwang (Singapore), Maria-Mercedes Tarrazón Rodón (Spain), Pierre Karrer (Switzerland), Nabil N. Antaki (Syria), Christopher Seppälä (USA), Robert Smit (USA) and Eric Schwartz (USA). The session will be chaired by Dr. Robert Briner, who was the Chairman of the ICC International Court of Arbitration from 1997 to 2006, and Anne Marie Whitesell will play the role of the Secretariat.

3:30 – 3:50

Questions from Participants

3:50 – 4:10

Break

4:10 – 5:00

Judicial Decisions on Arbitrator Independence

What happens after an institution rejects a challenge and a party later raises it as a defense to enforcement? This panel will focus on international judicial decisions on the issue of arbitrator independence.

- **Lorraine M. Brennan**, Partner, Kilpatrick Stockton LLP, New York
- **Louis B. Kimmelman**, Partner, Allen & Overy LLP
- **Laurence Shore**, Partner, Herbert Smith, LLP
- **Larry Schaner**, Partner, Jenner & Block LLP

4:40 – 5:00

Questions from Participants

5:00 – 5:15

Closing

- **Jason Fry**, newly appointed Secretary General, ICC International Court of Arbitration
- **Nancy Thevenin**, Deputy Director, Arbitration & ADR, North America, ICC International Court of Arbitration

5:15 – 7:00

Reception

Logistical note

Date **Monday, September 24, 2007**

Venue **Hilton New York**
1335 Avenue of the Americas
New York, NY 10019, USA

Working language English only.

How to register Please complete and return the registration form indicating method of payment to:

E-mail: lfs@iccwbo.org *Post:* INTERNATIONAL COURT OF ARBITRATION
Tel: 212.703.5044 **Arbitration and ADR, North America**
Fax.: 212.575.0327 1212 Avenue of the Americas, 21st Floor
Website: www.iccwbo.org New York, NY 10036-1689

Registration will be confirmed upon receipt of the registration form and contribution to costs.

Registration fee **Early Bird Special – Until Monday, August 27, 2007**

■ **US\$ 380** for ICC/USCIB members and non-members

After Monday, August 27, 2007

■ **US\$ 450** for ICC/USCIB members

■ **US\$ 550** for non-members

The fee includes working papers, refreshments, lunch, and reception.

Travel arrangements & accommodation

Travel and hotel expenses are not included. Participants are responsible for making their own travel arrangements and hotel reservations. A list of hotels in New York, with which USCIB has negotiated preferential room rates, is available upon request.

Cancellation charge

50 % of the contribution to costs will be refunded if notice of cancellation is received in writing **before August 27, 2007**. Cancellations after this date are not refundable. However, registration may be transferred to another person from the same company or organization at no extra charge, provided the USCIB (International Court of Arbitration) is informed prior to the Conference.



International Chamber of Commerce
The world business organization

