

Schedule at a glance

8:00-9:00	COFFEE & REGISTRATION
9:00-12:30	CONFERENCE
12:30-13:45	LUNCH
13:45-16:00	CONFERENCE

Conference Programme

9:00 – 9:15	<p>WELCOME ADDRESS</p> <p>INTRODUCTION TO THE CONFERENCE TOPIC</p>	<p>Elliott Geisinger President of ASA – Swiss Arbitration Association, Schellenberg Wittmer Ltd, Geneva</p> <p>Domitille Baizeau LALIVE, Geneva</p>
9:15 – 9:35	<p>PANEL 1</p> <p>THE ARBITRATORS' INITIATIVE: ITS FOUNDATIONS AND ITS LIMITS</p> <p>What are the legal bases for the arbitral tribunal's powers and the scope of such powers? What are the limits to party autonomy and why? What are the boundaries to the arbitrator's own initiative?</p>	<p>Pierre Mayer Dechert, Paris</p>
9:35 – 10:45	<p>PANEL 2</p> <p>THE ARBITRATOR'S INITIATIVE: SHAPING THE PROCEDURE</p> <p>In the initial discussions with the parties: how should it be done? Which topics must be or may be addressed?</p> <p>Once the proceedings are under way: further case management meetings, directions on content of submissions, bifurcation, time limits, duration of the merits hearing, etc.</p> <p>Discussion (Panel and Floor)</p>	<p>Constantine Partasides QC THREE CROWNS, London</p> <p>Gabrielle Nater-Bass Homburger, Zürich</p> <p>Hamid Gharavi Derains & Gharavi, Paris</p>
10:45 – 11:15	COFFEE BREAK	

<p>11:15 – 12:30</p>	<p>PANEL 3 THE ARBITRATOR'S INITIATIVE: FACT FINDING</p> <p>What can, should or should not be done and why, including:</p> <ul style="list-style-type: none"> • Suggesting or requesting the submission of specific evidence • Relying on publicly available evidence • Deciding on document production requests • Relying on evidence available through parallel proceedings or investigations • Making specific directions for the taking of evidence during the hearing • Applying presumptions and drawing inferences <p>Discussion (Panel and Floor)</p>	<p>Vera van Houtte Independent Arbitrator, Leuven</p> <p>Paul Friedland White & Case, New York</p> <p>Harold Frey Lenz & Staehelin, Zürich</p>
<p>12.30 – 13:45</p>	<p>LUNCH</p>	
<p>13:45 – 15:00</p>	<p>PANEL 4 THE ARBITRATOR'S INITIATIVE: UNDERSTANDING AND DECIDING THE LAW</p> <p>What can, should or should not be done and why, including:</p> <ul style="list-style-type: none"> • Raising questions of law or on the parties' legal arguments • Raising questions on the parties' prayer for relief • Addressing matters of mandatory law <p>Discussion (Panel and Floor)</p>	<p>Michael Hwang Senior Counsel & Chartered Arbitrator, Singapore, London & Sydney</p> <p>Paula Hodges QC Herbert Smith Freehills, London</p> <p>Pierre-Yves Tschanz Tavernier Tschanz, Geneva</p>

<p>15:00 – 15:45</p>	<p>PANEL 5 THE ARBITRATOR'S INITIATIVE: FACILITATING THE SETTLEMENT OF THE DISPUTE</p> <p>What can, should or should not be done and why, including:</p> <ul style="list-style-type: none"> • Conveying the arbitrator's preliminary views • Acting as settlement facilitator <p>Discussion (Panel and Floor)</p>	<p>Carole Malinvaud Gide Loyrette Nouel, Paris</p> <p>Christopher Harris Three Verulam Buildings, London</p> <p>Paolo Marzolini Patocchi & Marzolini, Geneva</p>
<p>15:45 – 16:00</p>	<p>CONCLUDING REMARKS: WHERE ARE WE?</p>	<p>Wolfgang Peter Python & Peter, Geneva</p>

About the organisers

ASA – Swiss Arbitration Association

The **Swiss Arbitration Association (ASA)** has over 1200 members, practitioners and academics engaged and/or interested in domestic and international arbitration, from Switzerland and abroad. ASA contributes to the development of arbitration law and practice through regular conferences and workshops, including this Annual Conference; the Arbitration Practice Seminar; ASA Local Group meetings; ASA below 40 events for young practitioners, and the publication of the *ASA Bulletin*, a renowned arbitration quarterly, and of the *ASA Special Series*. For more information and membership enquiries, see www.arbitration-ch.org, or contact Alexander McLin, Executive Director, at alex.mclin@arbitration-ch.org.

Conference Organisation

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