



Association Suisse de l'Arbitrage
Schweiz. Vereinigung für Schiedsgerichtsbarkeit
Associazione Svizzera per l'Arbitrato
Swiss Arbitration Association



ASA Conference

Commercial Arbitration Involving States: Public Interests and Private Justice?

Friday 22 January 2016

**Zurich Marriott Hotel
Neumuehlequai 42
8006 Zurich**

PROGRAMME

Schedule at a glance

8:00-9:00	COFFEE & REGISTRATION
9:00-13:00	CONFERENCE
13:00-14:00	LUNCH
14:00-17:40	CONFERENCE

Conference Programme

9:00 – 9:10	<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>Constantine Partasides QC Three Crowns, London</p> <p>Sophie Lamb Debevoise & Plimpton, London</p>
9:10 – 9:50	<p>PANEL 1</p> <p>SETTING THE SCENE: COMMERCIAL ARBITRATION INVOLVING STATES – SUCCESSES AND FAILURES OF THE PROCESS</p> <p>The states' perspectives</p> <p>One historic case</p> <p>One recent case</p>	<p>Chair: Audley Sheppard QC Clifford Chance, London</p> <p>Joachim Knoll LALIVE, Geneva</p> <p>Mohamed Abdel Wahab Zulficar & Partners, Cairo</p> <p>Rachael D. Kent Wilmer Hale, Washington, D.C.</p>
9:50 – 10:50	<p>PANEL 2</p> <p>PROCEDURAL ISSUES THAT ARISE IN COMMERCIAL ARBITRATION INVOLVING STATES</p> <p>States and speed</p> <p>Transparency</p> <p>Public interest defences to document production by state parties</p> <p>Discussion (Panel and Floor)</p>	<p>Chair: Eduardo Silva Romero Dechert, Paris</p> <p>Alexis Mourre ICC International Court of Arbitration, Paris</p> <p>Georgios Petrochilos Three Crowns, Paris</p> <p>Carole Malinvaud Gide Loyrette Nouel, Paris</p>

10:50 – 11:20	COFFEE BREAK	
11:20 – 12:30	<p>PANEL 3 REMEDIES AND STATE PARTIES</p> <p>Interim measures</p> <p>Specific performance</p> <p>Damages awards</p> <p>Discussion (Panel and Floor)</p>	<p>Chair: Michael Ostrove DLA Piper, Paris</p> <p>Christian Leathley Herbert Smith Freehills, New York</p> <p>Anthony Sinclair Quinn Emanuel Urquhart & Sullivan, London</p> <p>Noah Rubins Freshfields Bruckhaus Deringer, Paris</p>
12:30 – 13:00	ASA ADVOCACY PRIZE	<p>Elliott Geisinger President of ASA – Swiss Arbitration Association, Schellenberg Wittmer Ltd, Geneva</p>
13:00 – 14:00	LUNCH	
14:00 – 15:15	<p>PANEL 4 SUBSTANTIVE ISSUES THAT ARISE IN COMMERCIAL ARBITRATIONS INVOLVING STATES</p> <p>Stabilisation</p> <p>Environmental and human rights</p> <p>International law as part of contractual governing law</p> <p>Discussion (Panel and Floor)</p>	<p>Chair: Wolfgang Peter Peter & Partners, Geneva</p> <p>Elizabeth Snodgrass Freshfields Bruckhaus Deringer, London</p> <p>Bart Legum Dentons, Paris</p> <p>Zachary Douglas QC Graduate Institute, Geneva; Matrix Chambers, London</p>

<p>15:15 – 16:00</p>	<p>PANEL 5 ENFORCEMENT ISSUES THAT ARISE IN COMMERCIAL ARBITRATIONS INVOLVING STATES</p> <p>The New York Convention through a state prism</p> <p>Sovereign immunity</p> <p>Discussion (Panel and Floor)</p>	<p>Chair: Nathalie Voser Schellenberg Wittmer Ltd, Zurich</p> <p>Marike Paulsson University of Miami School of Law; Shook, Hardy & Bacon, Miami</p> <p>Michael Kim Kobre & Kim, New York/Seoul/London</p>
<p>16:00– 16:30</p>	<p>COFFEE BREAK</p>	
<p>16:30 – 17:30</p>	<p>PANEL 6: THE DEBATE: THIS HOUSE SEES NO LEGITIMACY DEFICIT IN ARBITRATIONS INVOLVING STATES</p> <p>For the motion</p> <p>Against the motion</p>	<p>Chair: Sir Franklin Berman KCMG QC Essex Court Chambers, London</p> <p>Howard Mann International Institute for Sustainable Development</p> <p>Lord (Peter) Goldsmith QC Debevoise & Plimpton, London</p>
<p>17:30 – 17:40</p>	<p>CONFERENCE CLOSE</p>	<p>Sophie Lamb Debevoise & Plimpton, London</p> <p>Constantine Partasides QC Three Crowns, London</p>



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Conference Organisation

Constantine Partasides QC, Three Crowns, London
Sophie Lamb, Debevoise & Plimpton, London

Who should attend?

All professionals involved in dispute resolution: lawyers, arbitrators, corporate counsel, and academics.

Sponsorship opportunities

The ASA Conference provides a meaningful opportunity to gain visibility and build partnerships within the global arbitration business network. For further information, please contact alex.mclin@arbitration-ch.org

CPD/CLE Credits

ASA is a Solicitors Regulation Authority approved external CPD provider (ref. ELA/TSAS) for England and Wales. Certain ASA events are homologated in France by the Conseil National des Barreaux. New York CLE and California MCLE credit may also be available upon request. If applicable, please enquire at info@arbitration-ch.org

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.

Media partner



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Practical information

Register early

Early bird registration fee (+ 8% VAT), until 18 December 2015:

ASA members: CHF 550 Non-members: CHF 725

Fee (+ 8% VAT) as of 19 December 2015:

ASA members: CHF 600 Non-members: CHF 775

The fee includes lunch, coffee breaks, and welcome reception. There are no hidden extras. Attendance is limited. Applications are accepted on a first come, first served basis. 50% of the registration fee will be refunded if notice of cancellation is received in writing before **18 December 2015**. Thereafter, there will be no refunds for cancellations, but substitutions are accepted. Please note that ASA reserves the right to make minor alterations to the programme or to the identity of the speakers at any time.

Welcome reception and registration

A traditional **welcome reception** takes place the preceding evening, at **18.00 on Thursday 21 January 2016**, at the Zurich Marriott Hotel. Registration for the conference will be available at the reception.

Where?

Zurich Marriott Hotel
Neumuehlequai 42, 8006 Zurich

How to get there

The Zurich Marriott Hotel is centrally located, 300 metres north of the main Zurich train station. Trains run regularly from Zurich Airport.

Accommodation

Please enquire with the Zurich Marriott Hotel for preferential conference rates, at +41 (0)22 902 66 66, or consult the ASA website.



Registration Form

PLEASE RETURN TO:

ASA

Boulevard du Théâtre 4, P.O. Box 5429

CH-1211 Genève 11

Fax: +41 22 310 37 31

Email : info@arbitration-ch.org

Customer N°

Name

First Name

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Conference Fee

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Method of
Payment

Payment by bank transfer (or credit card outside of Switzerland) upon receipt of invoice.

Disclaimer

The pictures and/or footage taken by ASA at this event may be used at a later date in printed and/or online materials including but not limited to marketing tools, brochures, and the ASA website.

Confirmation of registration will be sent upon receipt of payment.

Date

Signature