



**Iura novit curia vs. right to
be heard: how to strike the
balance? /
The interface between
arbitration and criminal
law: a selection of issues**

Friday, 29 October 2010, Hotel The Dolder Grand, Zurich

About the Seminar

The Seminar is open to arbitration practitioners up to approximately forty years of age. It will be divided into two sessions. Each of them will be introduced by two short presentations of about ten to fifteen minutes, followed by an interactive discussion amongst the participants. Each session will be led by a moderator. All the participants are encouraged to share their experience. Dress code is casual.

Programme

**Special Guest: Michael Schneider,
President of ASA**

10:00 Registration: Hotel Dolder Grand, Zurich

10:30 Welcome Address – Outgoing co-chairs of the Group: *Domitille Baizeau, Marc Veit*

10:45 **First Session: Iura novit curia vs. right to be heard: how to strike the balance?**

The civil law view
Laurence Franc-Menget, Herbert Smith, Paris

The common law view
Duncan Speller, WilmerHale, London

Moderator:
Philippe Bärtsch,
Schellenberg Wittmer,
Geneva

12:15 Lunch

13:45 **Second Session: The interface between arbitration and criminal law: selection of issues I**

Investigation or criminal proceedings prior to the arbitration: impact on the arbitration agreement and on arbitral proceedings
Jaime Gallego, Lalive, Geneva

Criminal offences committed through the arbitration: Duty to report and investigate? Duty to testify? Liability and immunity.
Amir Ghaffari, Shearman & Sterling, Paris

Moderator:
Gisela Knuts,
Roschier, Helsinki

15:15 Coffee break

15:45 **Third Session: The interface between arbitration and criminal law: selection of issues II**

Criminal offences during the arbitration: false testimony, fraud, defamation: What should arbitrators do?
Anna von Mühlendahl, WalderWyss, Zurich

Challenging awards tainted by fraud: revision, setting aside, non-enforcement
Julien Fouret, ICC, Paris

Moderator:
Christopher Harris,
Three Verulam
Buildings, London

17:15 Closing Remarks – Incoming co-chairs of the Group: *Joachim Knoll, Manuel Liatowitsch*

17:30 Pre-Dinner Drinks

19:15 Dinner at a place to be announced

Kindly register as soon as possible, but at the latest by 15 October 2010. In order to safeguard the format of the seminar, we are required to limit the number of participants to approximately seventy.

Given Name:

Family Name:

Firm/Company:

Registration Form

Address:

Telephone:

E-Mail:

Special Dietary Requirements:

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- CHF 280: Seminar Fee (includes: seminar fee and lunch)
 CHF 80: Dinner

Payable by bank transfer to UBS AG, Aeschenvorstadt 1, 4001 Basel, ASA Secretariat, Swift Code UBSWCHZH40A, Clearing 292, account no. 292-10560.120.0, IBAN CH52 0029 2292 1056 0120 0, Ref.: "[Name]/October 2010"

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