



Programme

8.30: Welcome coffee and registration

9.00: Chairs' opening remarks

Reza Mohtashami, *Freshfields Bruckhaus Deringer*
Essam Al Tamimi, *Al Tamimi & Company*

9:10: Host welcome

Tarek F. Riad, *Chairman, DIAC Executive Committee*

9.20: Session one: Middle Eastern courts and IA – where *are* we? Where are we *going*?

Courts across the Middle East have historically had a reputation for too much interference and not enough support of the arbitral process, especially at the enforcement stage. After the enactment of several new arbitration laws across the region and many initiatives aimed at improving compliance with the New York Convention, have the courts moved away from their past reputation? Can parties now legitimately expect to enforce their awards around the Middle East? Should arbitrators be concerned at the prospect of being sued by disgruntled parties?

In a roundtable session, some leading practitioners from across the Arab world will be interviewed on the state of play, on which arbitral forums to choose and which to avoid, and what the future holds.

The panel will discuss the state of play and recent developments across the region, including in Bahrain, Egypt, Oman, Qatar, Saudi Arabia, Tunisia and the UAE.

Moderators:

Reza Mohtashami, *Freshfields Bruckhaus Deringer*
Sami Huerbi, *Director, Eastern Mediterranean, Middle-East and Africa, ICC International Court of Arbitration, ADR; Dubai/Tunis*



Panel:

Hassan Ali Radhi, *Hassan Radhi & Associates*

Mohamed S. Abdel Wahab, *Zulficar & Partners*

Sultan M. Al-Abdulla, *Sultan Al-Abdulla & Partners*

Ali Al Aidarous, *Ali Al Aidarous International Legal Practice*

Saud Al-Ammari, *Dr. Saud Al-Ammari Law Firm (in association with Blake, Cassels & Graydon)*

10.40: Coffee break sponsored by Herbert Smith Freehills

11.00: Session two: The GAR Live Symposium – with a focus on practicing in Dubai

Our espresso version of the popular Tylney Hall format. This edition will have a theme - the positives, the negatives and the pitfalls of arbitrating in the UAE.

Sample questions:

Unpredictable seats: which is more important to the success of a seat, good law, or good judges? – Essam Al Tamimi

Should arbitrators think twice before accepting an appointment with a Dubai seat of arbitration? – Reza Mohtashami

Moderators:

Alec Emmerson, *Clyde & Co*

Raëd Fathallah, *Bredin Prat*

Michael Hwang SC, *Michael Hwang Chambers*

12.30: Networking lunch sponsored by 4 New Square

2.00: Session three: Investment arbitration – is the Middle East heading the way of Latin America?

Will the geopolitical turmoil spreading across much of the region mean that the Middle East is going to be “the next Latin America” when it comes to the rise in the number of investment arbitration claims?

There are already a dozen ICSID claims underway against Egypt, with others being pursued under UNCITRAL and the Organisation of Islamic Cooperation treaty following the events of the “Arab Spring”. With continuing unrest affecting many other countries in the region, will there be a flood of investment claims as investors pull out of the Middle



East? Some think so. Others are not so sure, pointing to the history of frequent political unrest.

Many of the existing claims are being pursued by investors from somewhere in the region. How does that change things? Will this aspect of Arab investor suing Arab government reduce the chances of a backlash? How about the manner in which cases are conducted – are there special considerations to be aware of?

Moderator:

Roland Ziadé, *Linklaters*

Panel:

Veijo Heiskanen, *Lalive*

Karim Hafez, *Hafez*

Hamid Gharavi, *Derains & Gharavi*

Nassib Ziadé, *Chief Executive Officer, Bahrain Chamber for Dispute Resolution (BCDR-AAA)*

Anne K. Hoffmann, *Al Tamimi & Company*

3.20: Coffee break sponsored by Herbert Smith Freehills

3.50: Session four: the GAR Live Oxford Union-style debate

Motion: “This house believes... all things being equal, parties prefer a good court”

The common law courts of the Dubai International Financial Centre, comprising a bench of experienced judges, recently celebrated their 10th anniversary. With their ever increasing caseload, the DIFC courts, and the more recently-established but equally ambitious, Qatar International Court, are competing to become the forum of choice for cross-border commercial disputes. They will soon be joined by similar international courts in Singapore and, closer to home, in Abu Dhabi.

What will the expansion of these courts mean for arbitration centres in the region and elsewhere? Will they complement the existing offering of IA or take business away from arbitrators? And where would parties prefer to have their disputes heard?



Chair:

Essam Al Tamimi, *Al Tamimi & Company*

Debaters:

Craig Shepherd, *Herbert Smith Freehills*
Tim Taylor QC, *King & Wood Mallesons SJ Berwin*
Roger Stewart QC, *4 New Square*
Graham Lovett, *Clifford Chance*

Judges:

Michael Hwang SC, *Michael Hwang Chambers*
Habib Al Mulla, *Baker & McKenzie Habib Al Mulla*
Constantine Partasides QC, *Three Crowns*

5.15: Chairs' closing remarks

Our chairs distil the themes of the day and gaze into the *GAR Live* crystal ball.

Reza Mohtashami, *Freshfields Bruckhaus Deringer*
Essam Al Tamimi, *Al Tamimi & Company*

5.30: All delegates are invited to attend a cocktail reception kindly hosted by Clyde & Co at the Sheraton Dubai Creek Hotel & Towers.