



PROGRAMME

Wednesday 29 March 2023

09.00 – 09.15 **Welcoming address and introduction**

- **Laurence Shore**, Of Counsel, BonelliErede, Italy; Council Member, ICC Institute of World Business Law

09.15 – 09.30 **Active case management techniques**

From the very outset of the arbitration, the tribunal has to actively assist the parties in organizing and streamlining the conduct of the proceedings. During this session, participants will learn and discuss both from a theoretical and a practical standpoint effective case management techniques. These will include issues related to drafting the terms of reference, preparing and conducting case management conferences, and adopting procedural timetables.

- **Domitille Baizeau**, Partner, LALIVE, Switzerland

09.30 – 10.00 **Effective management of arbitration: an ICC perspective**

During this session participants will be provided with ICC insights and best practices on various active management techniques.

- **Stella Leptourgou**, Counsel, ICC International Court of Arbitration, Paris

10.00 – 11.00 **Case scenarios on active case management techniques and debate**

- **Domitille Baizeau**, Partner, LALIVE, Switzerland

11.00 – 11.15 *Coffee Break*

11.15 – 11.45 **Arbitrators' authority: scope and limits**

The notion of 'authority of the arbitral tribunal' is a complex and multifaceted one which plays a key-role in the creation of a suitable framework for the arbitration. It involves both the relationship between the arbitrators as well as the tribunal's relationship with counsel and raises challenging questions. Among others: how far a dissenting opinion can go and still be effective and appropriate; what is the scope of the tribunal's authority to sanction counsel's wrongful conduct; what types of sanctions are available?

- **Laurence Shore**, Of Counsel, BonelliErede, Italy; Council Member, ICC Institute of World Business Law

11.45 – 12.45 **Case scenarios on arbitrators' authority: scope and limits and debate**

- **Laurence Shore**, Of Counsel, BonelliErede, Italy; Council Member, ICC Institute of World Business Law

12.45 – 14.15 *Lunch*

14.15 – 14.45 **Allowing additional claims and parties**

One of the aspects of the growing complexity of international commercial arbitration cases is the increasing number of arbitrations involving multiplicity of parties, including non-signatory parties, claims and cross-claims, and multi-contract disputes. This session will address the main pitfalls as well as the challenging jurisdictional matters that arbitrators face when confronted with complex arbitrations.

- **Jane Davies Evans**, Barrister, 3 Verulam Buildings, United Kingdom

14.45 – 15.30 **Case scenarios on allowing additional claims and parties and debate**

- **Jane Davies Evans**, Barrister, 3 Verulam Buildings, United Kingdom

15.30 – 15.45 *Coffee Break*

15.45 – 16.15 **Managing the exchange of information**

Obtaining and presenting information is of paramount importance when preparing an international commercial arbitration case. The mission of the arbitral tribunal lies in managing such exchange of information, taking into consideration the different cultural legal approaches of the parties and their counsel and the particular circumstances of each case. Participants will learn how arbitrators should deal with issues such as: the management of electronically stored information; the preservation of the confidentiality of information and related issues of applicable law; protection of trade, technological and commercial secrets; privacy of the arbitral proceedings; and ethical conduct of the parties.

- **Olivier Caprasse**, Independent Arbitrator, Caprasse Arbitration, Belgium; Member, ICC International Court of Arbitration

16.15 – 17.05 **Case scenarios on managing the exchange of information and debate**

- **Olivier Caprasse**, Independent Arbitrator, Caprasse Arbitration, Belgium; Member, ICC International Court of Arbitration

17.05 – 17.15 **Concluding remarks**

- **Laurence Shore**, Of Counsel, BonelliErede, Italy; Council Member, ICC Institute of World Business Law