



United Nations Commission on International Trade Law
(UNCITRAL)



International Arbitral Centre
of the Austrian Federal Economic Chamber
(VIAC)

VIAC - UNCITRAL

2008 Conference

Vienna

13 and 14 March 2008

PROGRAMME

Thursday, 13 March 2008

UNCITRAL Arbitration Rules

- 08:30 - 09:00 Registration
- 09:00 - 09:15 Welcome address and programme introduction:
Jernej Sekolec
Secretary, UNCITRAL
Werner Melis
President, VIAC
- 09:15 - 09:30 Up-date on the current work of UNCITRAL Working Group II on Arbitration (47th and 48th sessions)
Renaud Sorieul
Principal Legal Officer, UNCITRAL

Revision of the UNCITRAL Arbitration Rules

- 09:30 - 09:50 Applicable version of the UNCITRAL Arbitration Rules: which option would be preferable? (*Revised draft article 1bis of the Rules*)
Simon Greenberg
Deputy Secretary General, ICC
International Court of Arbitration
- 09:50 - 10:10 Notice of arbitration and response to the notice of arbitration; statement of claim and statement of defense (*Revised draft articles 3, 18 and 19 of the Rules*)
Vojtech Trapl
Attorney-at-Law, Prague
Prof. José María Abascal
Attorney-at-Law, Mexico City
- 10:10 - 10:30 Role of the Secretary-General of the Permanent Court of Arbitration (*Revised draft article 4bis of the Rules*)
Brooks W. Daly
Deputy Secretary General, Permanent Court of Arbitration, The Hague
- 10:30 - 10:50 Discussion
- 10:50 - 11:20 Coffee break
- 11:20 - 11:40 Mechanism for replacing an arbitrator (*Revised draft article 13 of the Rules*)
Tomasz Wardynski
Attorney-at-Law, Warsaw
Ulf Franke
Secretary General, Arbitration Institute of the Stockholm Chamber of Commerce

- 11:40 - 12:00 Consolidation and joinder in non-administered arbitration (*Revised draft article 15 of the Rules*)
Prof. Alan Uzelac
University of Zagreb
Manfred Heider,
Secretary General, Vienna International
Arbitral Centre
- 12:00 - 12:10 Language in arbitration (*Revised draft article 17 of the Rules*)
Prof. Tibor Varady
Central European University, Budapest
- 12:10 - 12:20 Claims or counter-claims for the purpose of a set-off (*Revised draft article 19 of the Rules*)
Markus Wirth
Homburger Rechtsanwalte, Zurich
- 12:20 - 13:00 Discussion
- 13:00 - 14:10 Buffet Lunch
- 14:10 - 14:20 Interim measures of protection (*Revised draft article 26 of the Rules*)
Michael Schneider
Lalive Avocats, Geneva
- 14:20 - 14:30 Decision making process by the arbitral tribunal (*Revised draft article 31 of the Rules*)
Giovanni De Berti
De Berti Jacchia Franchini Forlani, Milan
- 14:30 - 14:40 Applicable law (*Revised draft article 33 of the Rules*)
Prof. Giuditta Cordero Moss
University of Oslo
- 14:40 - 14:50 The fees in non-administered arbitration (*Revised draft articles 38 to 40 of the Rules*)
Georgios Petrochilos
Freshfields Bruckhaus Deringer, Paris
- 14:50 - 15:10 Discussions
- 15:10 - 17:30 **Investment arbitration**
- 15:10 - 15:30 Current use of the UNCITRAL Arbitration Rules in the context of investment arbitration
Prof. Norbert Horn
University of Cologne

- 15:30 - 15:50 Coffee Break
- 15:50 - 16:40 Recent developments in Latin America
S. E. Sr. Horacio Bazoberry
 Ambassador of Bolivia to the UN
 Organisations in Vienna
Prof. Diego Fernandez Arroyo
 Universidad Complutense de Madrid
Fernando Mantilla-Serrano
 Shearman & Sterling, Paris
- 16:40 - 17:00 Publicity and investment arbitration
Nathalie Bernasconi-Osterwalder
 Managing Attorney, Center for
 International Environmental Law, Geneva
Noah Rubins
 Freshfields Bruckhaus Deringer, Paris
- 17:00 - 17:30 Discussions
- 17:30 - 17:45 **Closing Remarks**
Jernej Sekolec
- 18.30 Departure by coach to "Heurigen"
 Feuerwehr Wagner
 Grinzingerstraße 53, 1190 Wien

Friday, 14 March 2008

Celebrating the 50th anniversary of the New York Convention

- 9:00 - 9:15 Welcome address and programme
 introduction
Werner Melis and Jernej Sekolec
- 09:15 - 09:35 Opening address
Maria Berger, Minister of Justice of the
 Republic of Austria
- 09:35 - 10:40 **History and impact of the New York
 Convention**
- 09:35 - 10:00 Geneva Convention and the ICC Draft
Robert Briner
 Attorney-at-Law, Geneva
- New York Convention and accession by
 States
Tore Wiwen-Nilsson
 Mannheimer Swartling, Malmö

- 10:00 - 10:30 Impact of the New York Convention on the development of inter-national arbitration and its influence on the UNCITRAL Model Law on international commercial arbitration
Prof. Ivan Szasz
Squire Sanders & Dempsey, Budapest
Werner Melis
President, VIAC
James Castello
Dewey & LeBoeuf, Paris
- 10:30 - 10:40 Discussion
- 10:40 - 11:00 Coffee Break
- 11:00 - 12:15 **Recognition and enforcement of agreements to arbitrate: case law, new developments and future trends**
- 11:00 - 11:15 Validity of agreements to arbitrate
Prof. Kaj Hobér
Mannheimer Swartling, Stockholm
- 11:15 - 11:30 The requirement that an agreement be in writing in contemporary practice
Prof. Phillip Capper
Lovells, London
- 11:30 - 11:45 Recommendation regarding the interpretation of article II, paragraph (2) and article VII, paragraph (1) of the New York Convention, adopted by UNCITRAL in 2006
Gustaf Moeller
Judge at the Supreme Court of Finland
- 11:45 - 12:15 Discussion
- 12:15 - 12:45 **Interview with Professor Pieter Sanders**
Principal Drafter of the Convention and Delegate at the 1958 Conference

- 12:45 - 14:00 Buffet Lunch
- 14:00 - 15:00 **Recognition and enforcement of awards: case law, new developments and future trends**
- 14:00 - 14:15 The definition of "award" under the New York Convention
Prof. Fritz Nicklisch
University of Heidelberg
- 14:15 - 14:30 Grounds for refusing enforcement of awards
William Slate II
President and CEO, American Arbitration Association
- 14:30 - 14:45 The question of awards set aside in the country of origin
Prof. Jean-Paul Béraudo
Honorary Judge, Cour de Cassation, Paris
- 14:45 - 15:00 Discussion
- 15:00 - 15:20 Coffee Break
- 15:20 - 16:00 **A View to the Future: Opportunities and Challenges**
- 15:20 - 15:30 Strengthening implementation: a report on the UNCITRAL /IBA project
Corinne Montineri
Legal Officer, UNCITRAL
- 15:30 - 16:00 Should the New York Convention be supplemented?
Domenico di Pietro
Studio Legale Chiomenti, Rome
Gerold Herrmann
Past Secretary, UNCITRAL
- 16:00 - 16:15 **Closing Remarks**
Jernej Sekolec

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Venue: "The Octagon"
at Bank Austria-Creditanstalt
Schottengasse 6-8
1010 Vienna

Registration Fee: EUR 450,-- (EUR 150,-- for students)
(conference materials, buffet lunch,
drinks and traditional Viennese
buffet dinner at the "Heurigen"
included)

Payment: Bank Austria Creditanstalt AG,
Vienna
Account no. 0020-95032/00
Bank Code 12000
IBAN-Code AT19 1100 0002 0950 3200
BIC-Code BKAUATWW

Working Language: English

REGISTRATION FORM

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FIRST NAME:
TITLE/PROFESSION/STUDENT:
INSTITUTION/ORGANIZATION/COMPANY:

MAILING ADDRESS:
POST(ZIP)CODE:
COUNTRY:
TELEPHONE:
FAX:
E-MAIL:

I will attend the Buffet dinner
at the "Heurigen" (13 March 2008)

Yes No

Payment:
 By bank transfer
 By cheque

Date

Signature