







































## **Co-Chairs' Circle Second Global Conference**

Controversy in International Arbitration Helsinki, 27-28 May 2016

Hosted by Young Arbitration Club Finland and jointly organized by 19 young arbitration practitioners' organizations

Co-host and venue



Yliopistonkatu 3 Helsinki

http://co-chairs-circle.com/ http://arbitration.fi/fi/yacf/ccc2016/

### **Conference program**

## FRIDAY, 27 MAY 2016 PORTHANIA, UNIVERSITY OF HELSINKI (Yliopistonkatu 3)

8:30 Registration

**9:00** Welcome words by YACF Steering

**9:15** Double keynote

Simon Greenberg (Clifford Chance, Paris) Wendy Miles (Boies, Schiller & Flexner, London)

9:45 Panel discussion – Arbitration, National Courts and Access to Justice

Andrea Atteritano (Hogan Lovells, Rome) Ruth Byrne (King & Spalding, London)

Claire Debourg (Gide Loyrette Nouel, Université Paris Ouest, Paris)

Rogier Schellaars (Simmons & Simmons, Amsterdam) Moderator: Chris Parker (Herbert Smith Freehills, London)

11:30 Early lunch at Restaurant Sunn (Aleksanterinkatu 26)

**13:00** Panel discussion – Informal Powers of Arbitral Institutes

Ulrike Gantenberg (Heuking Kühn Lüer Wojtek, Düsseldorf)

James Menz (Schellenberg Wittmer, Zurich) Andrey Panov (Norton Rose Fulbright, Moscow)

Erica Stein (Dechert, Brussels)

Moderator: Simon Maynard (Three Crowns, London)

**14:30** Coffee

**15:00** Table sessions

- 1. An investment court system as an alternative to investment arbitration. Pros and cons?
- 2. Could expedited / fast-track proceedings save arbitration?
- 3. What could the practice of international arbitration learn or adopt from the rules of civil litigation in your home country?
- 4. Too many young lawyers want to do arbitration is arbitration the victim of its own prestige?
- 5. The optimal tribunal selection process.
- 6. Initiatives aimed at naming or shaming arbitrators could they work?
- 7. La loi c'est moi. Do megalomaniac arbitrators pose a threat to the practice of arbitration?
- 8. Multiparty rules re consolidation and joinder much ado about nothing?
- 9. Unilateral arbitration clauses what's all the fuss about?
- 10. A greater role for dispositive motions in international arbitration (eg, striking out, summary determination, dismissal for abuse of process...)?
- 11. Should arbitrators impose limitations on submissions and/or evidence to keep proceedings manageable?

- 12. How to deal with motions, submissions and evidence not foreseen in the procedural timetable?
- 13. Suspicions of money laundering or financing criminal activity what do you do as an arbitrator?
- 14. To what extent can parties and counsel have an obligation to disclose hidden information relevant to the outcome?
- 15. Hide and seek. Downplaying or camouflaging key arguments or evidence until the hearing.
- 16. Do we really need witness examination by counsel? Can't the arbitrators do it better?
- 17. Witnesses a bunch of liars or a crucial part of the evidence?
- 18. Settlement facilitation and preliminary views by arbitrators an option for every arbitration?
- 19. Should the arbitration community really be concerned about regulating ethics?
- 20. Third party funding. Worst practices.

Moderators for the table sessions include:

Anne-Karin Grill (Schönherr, Vienna)

Joana Neves (Vieira de Almeida, Lisbon)

Rimantas Simaitis (Cobalt, Vilnius)

Joel Dahlquist (Uppsala University, Uppsala)

Marija Scekic (WilmerHale, London)

Laura Halonen (Lalive, Geneva)

Florian Mohs (Pestalozzi, Zurich)

José Ricardo Feris (ICC International Court of Arbitration, Paris)

Albert Henke (University of Milan/Clifford Chance, Milan)

Stanisław Drozd (Wardyński & Partners, Warsaw)

Tom Christopher Pröstler (CMS, Munich/Hong Kong)

Henrik Gisløv (Andersen Partners, Kolding)

Gretta L. Walters (Chaffetz Lindsey, New York)

João Vilhena Valério (Beechey Arbitration, Hong Kong)

Dorothee Schramm (Sidley Austin, Geneva)

Jasse Ritakallio (Lindfors & Co, Helsinki)

Melissa Magliana (Homburger, Zurich)

Tobias A. Strecker (Hokkaido University, Sapporo)

Ketevan Betaneli (Shearman & Sterling, Paris)

René Irra de la Cruz (Irra Ibarra, Mexico City)

**16:15** Drinks

**16:45** Table sessions wrap-up and Conference closing remarks

**18:15** Boat to Suomenlinna sea fortress

19:15 Dinner at Tenalji von Fersen, Suomenlinna sea fortress

#### **SATURDAY, 28 MAY 2016**

**10:30** Brunch at Borenius Attorneys Ltd (Eteläesplanadi 2)

11:45 Tour of Helsinki by tram

### Registration

#### Co-Chairs' Circle Second Global Conference 2016

Please register for the Co-Chairs' Circle Second Global Conference in Helsinki, 27-28 May 2016 by clicking **HERE**. The registration fee is 150 euros.

> Co-Chairs' Circle Second Global Conference 27-28 May 2016

#### Helsinki International Arbitration Day 2016

Please take note that the Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki International Arbitration Day 2016 (HIAD 2016) will be held in Helsinki Internation Day 2016 (HIAD 2016) will be held in Helsinki Internat on 26 May 2016. All participants of the 2nd Global Conference of the Co-Chairs' Circle will be entitled to register for the Helsinki International Arbitration Day 2016 with the Young Practitioners' Fee (EUR 240). Please visit the event site hiad.fi for more information on the Helsinki International Arbitration Day 2016.

Please register for the Helsinki International Arbitration Day 2016 separately by clicking **HERE**.





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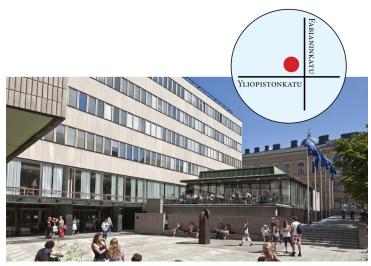


http://co-chairs-circle.com/

#### IMPORTANT PRACTICAL INFORMATION

#### Friday, 27 May 2016

#### Finding the conference venue





#### Presemo virtual wall

During the panel discussions you can participate in the discussion by posting comments on the virtual wall at presemo.helsinki.fi/ccc2016.

#### Lunch

Lunch will be served at Restaurant Sunn, Aleksanterinkatu 26, ravintolasunn.fi.



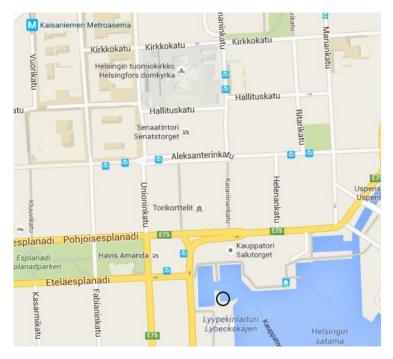
#### Dinner

The conference dinner will be held at 7 pm onwards at Tenalji von Fersen which is on an island (for reference, see Wikipedia: an **island** or isle is any piece of sub-continental land that is surrounded by water) called Suomenlinna sea fortress.



Dinner dress code: Come As You Are (i.e. no black tie or similar)

We have arranged transportation to and from the island by private ferries. Transportation to Suomenlinna sea fortress leaves at **6.15 pm sharp** from Helsinki Market Square.



The last ferry from Suomenlinna to the mainland (Helsinki Market Square) leaves at 1.00 am sharp from the same place where the ferry left you.

For those of you who suffer from a condition known as time optimism (a.k.a. procrastination, unpunctuality or being punctually challenged) can also attempt to reach Suomenlinna sea fortress (still an island) by Helsinki public transportation ferries or by swimming (both strongly at own risk). For more information regarding Helsinki public transportation ferries and schedules, see aikataulut.reittiopas.fi/linjat/en/hLautta\_Kauppatori.html. Kindly note that the public transportation ferries do not stop at Tenalji von Fersen but that you should add an extra 20 minutes for walking to your optimistic schedule (as well as comfortable shoes). The last public ferry to the mainland leaves at 2 am.

Those of the conference guests that are dreaming of an afternoon nap at the hotel, changing to a more comfortable outfit or seeing some of the brilliant sights Helsinki has to offer before dinner, you are kindly asked to take note that an interval for such purposes is not included in the conference programme. You will be guided to the Suomenlinna ferries directly after the conference closing remarks.

#### **Afterparty**

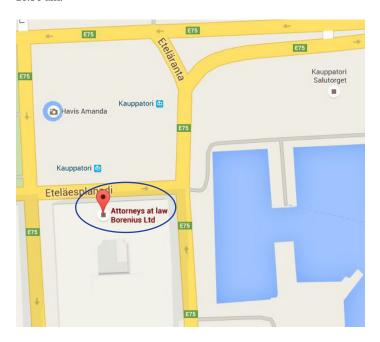
THE afterparty will be at Apollo Live Club (Mannerheimintie 16).

Clubs may occasionally require all entrants to carry identification attesting their age and identity as a precondition to entry. Please remember to bring your IDs with you!

#### Saturday, 28 May 2016

#### Brunch

After that last shot at 6 am you will be happy to hear that brunch is served at Borenius Attorneys (Eteläesplanadi 2) at 10.30 am.



#### Helsinki Sightseeing

Feeling revived after the brunch, a private tram will take us around Helsinki. The tram leaves at 11.45 am.



For those of you who assemble Ikea furniture without reading the instruction manuals, we are well aware that the above practical information will also have escaped your attention. So, when you get lost, miss the last ferry or desperately want to revisit the interesting discussions of the conference day, you can call the YACF hotline: +358407748006. We will try to help you the best way we can!

## LITIGATION & ARBITRATION

Borenius offers legal services in all aspects of domestic and cross-border dispute resolution, including conflict management and strategic planning. Our dispute resolution team is one of the largest and most respected in Finland and the Baltics.

We have broad experience in handling arbitration proceedings under various arbitration rules, as well as in ad hoc arbitration. Our experts frequently serve as arbitrators in domestic and international commercial proceedings. We assist our clients through every stage of arbitration, from drafting arbitration clauses, conducting arbitration proceedings and in the enforcement of domestic and foreign arbitral awards.

We have represented Finnish and foreign clients in commercial litigation in courts of general jurisdiction, administrative courts and specialized courts, such as Market Court in all areas of business. We assist our clients in conflict management and strategic planning, in order to prevent and solve potential disputes.

Our commitment to our clients means that we make sure that the right people do the right things. The combination of extensive and in-depth experience of dispute resolution with in-depth knowledge of the relevant business sectors and legal substance issues ensures that we always have an optimal, professional, team working for the client.

We have expertise in a wide variety of fields:

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- onstruction and infrastructure disputes
- commercial and contract disputes
- corporate disputes
- employment disputes
- environmental and energy disputes
- intellectual property disputes
- insolvency and restructuring disputes
- insurance and reinsurance disputes
- real estate and planning disputes
- shipping and transportation disputes
- tax disputes

In all matters related to litigation and arbitration please contact:



MARKUS KOKKO Partner +358 20 713 3482 markus.kokko@ borenius.com



ULLA VON WEISSENBERG Partner +358 20 713 3460 ulla.weissenberg@ borenius.com



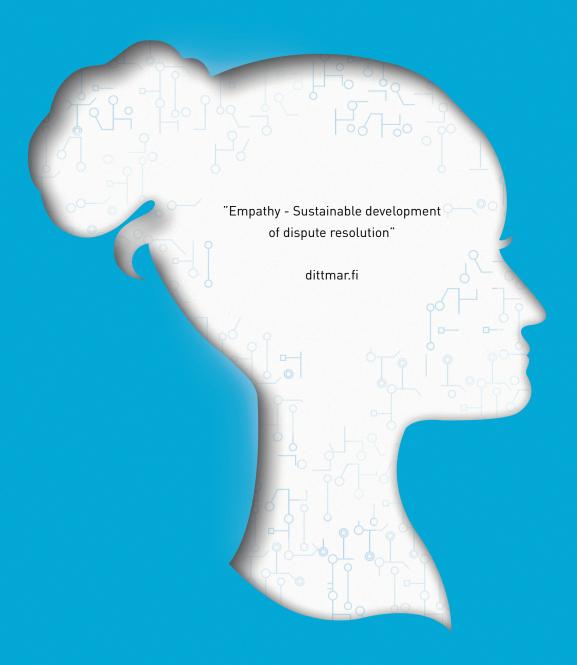
KRISTIINA LILJEDAHL Specialist Partner +358 20 713 3464 kristiina.liljedahl@ borenius.com





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## Thinking ahead



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- Chambers Europe, Dispute Resolution

**Dispute resolution** requires skills in providing effective and practical advice, both in order to avoid disputes and to resolve disputes that have already arisen.

Waselius & Wist has represented clients before all instances of Finnish civil and administrative courts, as well as special courts such as the Market Court. We have extensive experience of arbitration proceedings under the auspices of institutions worldwide, including the Finland Chamber of Commerce, the Stockholm Chamber of Commerce, the ICC and UNCITRAL. Our partners are also frequently engaged as arbitrators in major proceedings.

We provide quick, pragmatic and to-the-point advice and assistance in pre-dispute negotiations as well as post-dispute matters.

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