



**Cairo Regional Centre for International Commercial Arbitration**

**Sharm El Shiekh II**

**International Conference on**

**The Vital Role of State Courts in Arbitration**

19-20 November 2007 (Atoun Hall-Pyramisa Hotel)

21 November 2007(Hatshebsout Hall-Pyramisa Hotel), Sharm El Sheikh – Egypt

**Program**

<b>Sunday 18<sup>th</sup> November 2007</b>	
07.00 : 08.00 p.m.	Registration <i>(Atoun Hall)</i>
<b>First Day: Monday 19<sup>th</sup> November 2007</b> <i>(Atoun Hall- Pyramisa Hotel)</i>	
09 : 10.00 a.m.	Registration Continued
10.00 : 10:30	<p>Inauguration of the Conference</p> <ul style="list-style-type: none"> <li>• <b>Welcome Speeches</b></li> </ul> <p><b>Dr. Mohamed Aboul Enein</b> Director, Cairo Regional Centre for International Commercial Arbitration ; Secretary General, Arab Union for International Arbitration; Vice-President, International Federation of Commercial Arbitration Institutions (IFCAI)</p> <p><b>H.E. General. Mohamed Hany Metwaly</b> Governor of South Sinai</p> <ul style="list-style-type: none"> <li>• <b>Inaugural Speeches</b></li> </ul> <p><b>H. E. Dr. Ahmed Fathy Sorour</b> Spokesman of the Egyptian People's Assembly</p> <p><b>H. E. Coun. Moqbel Shaker</b> President of the Egyptian Supreme Judicial Council; President of the Egyptian Court of Cassation</p> <p><b>Mr. Ulf Franke</b> President of the International Federation of Commercial Arbitration Institutions (IFCAI)</p>
10.30 : 10.45	Break
10.45: 12.30	<p style="text-align: center;"><b>First Session</b></p> <p style="text-align: center;"><b>The Role of State Courts in Arbitration</b> <b>According to the Different Legal Cultures</b></p> <p style="text-align: center;"><b>Chairman : Mr. Ulf Franke</b> <span style="float: right;">(Sweden) 15m.</span></p>

<p>15m. for each Speaker</p>	<p><b>The Role of Constitutional Courts in Arbitration</b>  <b>Dr. Mohamed Aboul-Enein</b></p> <p><b>The Judicial Application of the UNCITRAL Model Law on Arbitration</b>  <b>Mr. Renaud Sorieul</b>  Principal Legal Officer at the International Trade Law Division (ITLD) of the United Nations Office of Legal Affairs,  United Nations Commission on International Trade Law (UNCITRAL) (Austria)</p> <p><b>The French Law Approach and Methodology</b>  <b>Mr. Jean-Louis Delvolvé</b>  Chairman of the Comité Français d'Arbitrage (CFA);  President of the CFA Commission d'Etude (France)</p> <p><b>The Role of American Courts in Arbitration</b>  <b>Mr. Richard Naimark</b>  Senior Vice President of the International Centre for Dispute Resolution;  American Arbitration Association (AAA) (USA)</p> <p><b>The Role of State Courts under Swedish Arbitration Law</b>  <b>Judge. Hans Danelius</b>  Former Justice at the Supreme Court (Sweden)</p> <p><b>The Expected Role of the Saudi Legislation and Judiciary in Support of Arbitration</b>  <b>Dr. Soliman Al Shady</b>  Judge at the Saudi Grievances Board (Saudi Arabia)</p>
<p>12.30 : 01.00</p>	<p>Open Discussion</p>
<p>01.00 : 02.30</p>	<p><b>Lunch Break at "Tahiti Restaurant" or "Papeete Restaurant" (Pyramisa Hotel). Non resident participants will get Lunch vouchers. Please note that vouchers are to be given only once to each participant as they are limited by the registered number of non-resident participants.</b></p>
<p>02.30 : 04.00</p>	<p style="text-align: center;"><b>Second Session</b>  <b>The Evolution of the Relationship Between State Courts and Arbitration :</b>  <b>Striking a Balance Between Party Autonomy and Judicial Review</b></p> <p style="text-align: center;"><b>Chairman : Mr. Renaud Sorieul (15m.)</b></p>
<p>15m. for each Speaker</p>	<p><b>The Impact of the Arbitration Clause on the Settlement of the Dispute Before National Courts- Comparative Study</b>  <b>Prof. Samir Al Sharkawy</b>  Professor and Ex-Dean, Faculty of Law, Cairo University  Lawyer before the Court of Cassation;  International Lawyer and Arbitrator (Egypt)</p> <p><b>The Experience of State Courts with Arbitration : The Example of the Paris Court of Appeal</b>  <b>Judge. Dominique Hascher</b>  Secretary General, Court of Cassation (French Supreme Court);  Judge at the Court of Appeal of Paris;  Adjunct Professor of Law at the</p>

	<p>University of Paris 1 (Pantheon-Sorbonne) (France)</p> <p><b>Striking a Balance Between Party Autonomy and Judicial Review in Arbitration</b>  <b>Dr. Abdel Hamid Al Ahdab</b>  President of the Arab Association for International Arbitration;  Assistant Secretary for the Arab Union of  International Arbitration for European Area (Lebanon)</p> <p><b>The Concept of "Efficiency" of the Arbitration Agreement :  or the Upcoming Judicial Revolution in the Law of Complex Arbitrations</b>  <b>Dr. Karim Youssef</b>  Lecturer in Private and Comparative Law, Faculty of Law, Cairo University;  Legal Advisor, Cairo Regional Centre for International Commercial Arbitration;  Member of the National Law Commission of Egypt  to Reform Economic Laws (Egypt)</p> <p><b>Judicial Review of the Extension of the Arbitration Clause to Non-Signatories</b>  <b>Dr. Jalal Al Ahdab</b>  Senior Associate at ORRICK, HERRINGTON &amp; SUTCLIFFE, Paris;  Teaching Associate at Political Sciences-Paris (Lebanon)</p>
04.00 : 04.30	Open Discussion
04.30 : 05.45	<p style="text-align: center;"><b>Third Session</b>  <b>The Role of State Courts During the Arbitral Proceedings</b>  <b>The Supportive and Parallel Roles of State Courts</b></p>
15m. for each Speaker	<p style="text-align: center;"><b>Chairman : Prof. Yahia Al Gamal</b> 15 m.</p> <p style="text-align: center;">Professor at the Faculty of Law, Cairo University;  International Lawyer and Arbitrator (Egypt)</p>
	<p><b>State Court Involvement in the Arbitral Proceedings :  Desirable Support or Undue Interference</b>  <b>Mr. Ulf Franke</b></p> <p><b>The Appointment of Judges as Arbitrators :  Prohibition and Authorization</b>  <b>Dr. Nasser Al Zeid</b>  Secretary General of the Centre of Commercial Arbitration  of the Gulf Cooperation Council (GCC) (Bahrain)</p> <p><b>The Role of the Tunisian Judiciary in  Supporting International Arbitration</b>  <b>Coun. Mongi El Akhdhar</b>  General Public Prosecutor at the Court of Appeal of Tunis (Tunis)</p> <p><b>Statutory Adjudication</b>  <b>Dr. Eng. Sherif El Haggan</b>  Partner, Contract Administration and Arbitration Bureau;  Consulting Engineer and International Arbitrator (Egypt)</p>
05.45 : 06.15	Open Discussion

**End of First Day**

## Second Day: Tuesday 20<sup>th</sup> November 2007

*(Atoun Hall- Pyramisa Hotel)*

10.00 : 11.15	<p><b>Fourth Session</b>  <b>The Role of State Courts Before and After</b>  <b>Rendering the Arbitral Award</b></p>
	<p><b>Chairman : Mr. Jean Louis Delvolvé</b> <span style="float: right;">15m.</span></p>
15m. for each Speaker	<p style="text-align: center;"><b>(A) Judicial Orders Suspending the Arbitral Proceedings</b></p> <p><b>Status of an Arbitration While a Challenge to a Partial Award is Pending in a National Court</b>  <b>Prof. Martin Hunter</b>          Professor of International Dispute Resolution, Nottingham Trent University;          Member of the International Council for Commercial Arbitration (ICCA) <span style="float: right;">(UK)</span></p> <p><b>Anti-Suit Injunctions by National Courts in Support of Arbitration Agreements</b>  <b>Dr. Karim Hafez</b>          Principal, Hafez          Fellow, the Chartered Institute of Arbitrators <span style="float: right;">(Egypt)</span></p> <p><b>Anti-Suit Injunctions-Protection of Legal and Equitable Rights</b>  <b>Mr. Mauro Rubino-Sammartano</b>          President, European Court of Arbitration <span style="float: right;">(European Union)</span></p> <p><b>The Relationship Between the Judiciary and Arbitration in Light of the Severability of the Arbitration Clause</b>  <b>Dr. Fayez Haj Chahin</b>          Dean, Faculty of Law, St. Joseph University <span style="float: right;">(Lebanon)</span></p>
11.15: 11.30	Open Discussion
11.30 : 01.15	<p><b>Fourth Session (Continued)</b></p> <p><b>(B) The Judicial Review with Respect to the Annulment of the Arbitral Award</b></p>
15m. for each Speaker	<p><b>The Role of the Egyptian Judiciary in Limiting the Setting- Aside Motions</b>  <b>Prof. Fathy Waly</b>          Professor and Former Dean at the Faculty of Law, Cairo University;          International Lawyer and Arbitrator <span style="float: right;">(Egypt)</span></p> <p><b>The Judicial Review Through the Annulment of Arbitral Awards</b>  <b>Dr. Hamza Haddad</b>          President of the Jordanian Law and Arbitration Center;          Former Minister of Justice;          Assistant Secretary General of the Arab Union</p>

	<p>for International Arbitration for the Eastern Area (Jordan)</p> <p><b>The Role of the Egyptian Judiciary in Reviewing the Arbitral Awards</b>  <b>Dr. Coun. Borhan Amrallah</b>  Assistant Minister of Justice for International and Cultural Cooperation and Human Rights (Egypt)</p> <p><b>The Setting-Aside of Arbitral Awards in the Light of the Jurisprudence of the Lebanese Court of Cassation</b>  <b>Judge. Mohib Meamari</b>  President in the Court of Cassation;  Professor in Faculties of Law (Lebanon)</p> <p><b>The Effective Role of Saudi Judiciary in Arbitration</b>  <b>Dr. Said Yahia</b>  Legal Advisor and Managing Director,  at Salah Al Hujilan Law Firm (Saudi Arabia)</p> <p><b>Egyptian Jurisprudence Concerning the Setting-Aside of Arbitral Awards : Analytical Study</b>  <b>Dr. Mohamed Abdel Raouf</b>  Partner, Abdel Raouf Law Firm  Secretary General of the Cairo Regional Centre for International Commercial Arbitration (Egypt)</p> <p><b>International Arbitration and Setting-Aside Proceedings in Switzerland : A Statistical Analysis</b>  <b>Prof. Felix Dasser</b>  Partner of Homburger AG, Zurich;  Professor at the University of Zurich Law School (Switzerland)</p>
01.15 : 01.30	Open Discussion
01.30 : 02.30	Lunch Break at "Tahiti Restaurant" or "Papeete Restaurant" (Pyramisa Hotel). Non resident participants will get Lunch vouchers. Please note that vouchers are to be given only once to each participant as they are limited by the registered number of non-resident participants.
02.30 : 05.15	<p style="text-align: center;"><b>Fifth Session</b>  <b>The Judicial Review with Respect to the Enforcement of the Arbitral Award</b></p> <p style="text-align: center;"><b>Chairman : Prof. Fathy Waly (15m.)</b></p>
15m. for each Speaker	<p><b>The Res Judicata of Arbitral Awards and their Enforcement in the Light of the Jurisprudence of the Egyptian Court of Cassation</b>  <b>Dr. Coun. Refaat Abdel Meguid</b>  Vice-President of the Egyptian Court of Cassation;  President of the First Commercial and Investment Circuit,  at the Court of Cassation (Egypt)</p> <p><b>The Judicial Review of Arbitral Awards Under Yemeni Law</b>  <b>Mr. Shahir Al Salihi</b>  General Manager of the Minister office of Justice;  Consultant of the Yemeni Center of Conciliation and Arbitration. (Yemen)</p>

	<p><b>The Role of the Judiciary in Arbitration in the Light of the Jurisprudence of the Moroccan Supreme Council</b>  <b>Mr. Abderrahmane Mesbahi</b>  Head of a Chamber in the Supreme Court Commercial Division (Morocco)</p> <p><b>The Enforcement of Arbitral Awards in Syria</b>  <b>Dr. Farid Fenri</b>  Professor of Law, Faculty of Law, Aleppo University ;  Secretary General, International Commercial Arbitration Centre,  Aleppo Chamber of Commerce (Syria)</p> <p><b>The Trends of the American Judiciary with Respect to the Enforcement of Arbitral Awards</b>  <b>Mr. Richard Naimark</b></p> <p><b>The Role of the Libyan Supreme Court with Respect to Arbitral Awards</b>  <b>Coun. Azzam Eddebb</b>  President of Civil Chamber – Libyan Supreme Court (Libya)</p> <p><b>The Enforcement of Foreign Arbitral Awards in Saudi Arabia</b>  <b>Dr. Abdel Elah Ibn Abdel Aziz Al Ferian</b>  President of Al Taaef Courts (Saudi Arabia)</p> <p><b>Judicial Review of the Enforcement of Arbitral Awards Under the Sudanese Arbitration Law</b>  <b>Coun. Hussein Mostafa Fathy</b>  Vice-President of the State Law Suite Authority (Egypt)</p> <p><b>Public Policy and International Commercial Arbitration: Navigating through the Perils of Scylla and Charybdis"</b>  <b>Dr. Mohamed Salah Abdel Wahab</b>  Partner, Shalkany Law Firm;  Lecturer, Faculty of Law, Cairo University;  Vice-Chairman, Cairo Branch of the Chartered Institute of Arbitrators (Egypt)</p> <p><b>Judicial Review on the Enforcement of Arbitral Awards : An Overview of Ad Hoc Arbitral Awards</b>  <b>Judge. Dr. Ehab El Sonbaty</b>  President of a Court;  Lecturer at Egyptian and Foreign Universities (Egypt)</p>
05.15 : 05.45	<b>Open Discussion</b>

End of Second Day

## Third Day: Wednesday 21<sup>st</sup> November 2007

(Hatshebsout Hall- Pyramisa Hotel)

10.00 : 12.00	<b>Sixth Session</b>
	<b>Round Table</b>
	Moderators : <b>Dr. Mohamed Aboul Enein</b> <b>Mr. Renaud Sorieul</b>
	<b>Honourable Members of the Round Table</b> : <i>(in alphabetical Order)</i> <b>Dr. Coun. Refaat Abdel Meguid</b> <b>Dr. Abdel Elah Ibn Abdel Aziz Al Ferian</b> <b>Mr. Abdel Rahman Al Sabahi</b> <b>Dr. Soliman Al Shady</b> <b>Coun. Dr. Borhan AmrAllah</b> <b>Coun. Gamal Boztiny</b> Counsellor, Commercial and Maritime Chamber; Representative of the Algerian Supreme Court (Algeria) <b>Judge. Hans Danelius</b> <b>Coun. Mongi El Akhdhar</b> <b>Coun. Azam El Deeb</b> <b>Judge. Dominique Hascher</b> <b>Judge. Mohib Meamari</b>
12.00 : 12.30	Coffee Break
12.30 : 01.30	<b>Closing Session</b>
	<b>Dr. Mohamed Aboul Enein</b> <b>Mr. Renaud Sorieul</b> <b>Coun. Dr. Borhan Amr Allah</b>
	End of Conference