

SHARM EL SHEIKH IV

ROLE OF STATE COURTS IN INTERNATIONAL COMMERCIAL ARBITRATION

Conference Program

Monday 26th November 2012 : 18.00 Registration at Grand Foyer Hall

Day I : Tuesday 27th November 2012

08.30 : 09.00	Registration
09.00 : 09.30	<p>Opening Speeches</p> <p>Coun. Ahmed Abd Al Rahman Vice-President, Supreme Judicial Council; Vice-President, Egyptian Court of Cassation (EGYPT)</p> <p>Coun. Dr. Borhan Amrallah Secretary-General, Arab Union of International Arbitration(AUIA); Former President of the Cairo Court of Appeal (EGYPT)</p> <p>Ms. Diana C. Droulers President, International Federation of Commercial Arbitration Institutions (IFCAI) ; Executive Director of the Arbitration Centre of CARACAS Chamber of Commerce (VENZUELA)</p> <p>Ms. Julia Salasky Associate Legal Officer for the Arbitration Working Group, United Nations International Trade Law Division (UNCITRAL Secretariat) (AUSTRIA)</p> <p>Dr. Mohamed Abdel Raouf Director, Cairo Regional Centre for International Commercial Arbitration (EGYPT)</p>
09.30 : 10.00	Coffee Break
10.00: 11.15	<p>First Session: Salient Legislative and Institutional Developments and Recent Judicial Applications</p> <p>Moderator: Ms. Diana C. Droulers</p> <p>Salient Judicial Applications of the UNCITRAL Model Arbitration Law as amended in 2006</p> <p>Ms. Julia Salasky</p> <p>Salient features of the role of French Courts under the new French Arbitration Law in 2011</p> <p>Dr. Philippe Leboulanger Cabinet Leboulanger : International Lawyer and Arbitrator (FRANCE)</p> <p>Salient challenges in the relation between state courts and Arbitration in the Arab world</p> <p>Dr. Hamza Haddad Director of the Law and Arbitration Centre ; Former Secretary-General of the Arab Union of International Arbitration ; Former Jordanian Minister of Justice (JORDAN)</p> <p>Salient challenges facing arbitration in Libya : realities and perspectives</p> <p>Dr. Al-Kony Ali Abouda Professor at the Faculty of Law University of Tripoli, Former Director General of the Judicial Institute) (Libya)</p> <p>Salient Features of the new Swiss Rules of Arbitration 2012</p> <p>Ms. Rabab M.K. Yasseen Partner, Mentha & Partners, Geneva, Deputy Judge- Geneva Civil Courts (Switzerland-Iraq)</p>
11.15 : 11.45	Open Discussion
11.45 : 12.00	Coffee Break

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12.00 : 13.45	Second Session : The Supportive Role of State Courts	
	Moderator : Dr. Hamza Haddad	
	The appointment of arbitrators and the role of state courts in avoiding the growing conflicts of interest (Do national courts consult the IBA guidelines on conflicts of interest in international arbitration?)	
		Dr. Nassib Ziade Director of the Dubai International Arbitration Centre (DIAC); Former Deputy Secretary-General (and Acting Secretary-General) of the International Centre for Settlement of Investment Disputes (ICSID) (LEBANON)
	The appointment of arbitrators by state Courts (the stance of the Court of Cassation and the Court of Appeal in Egypt)	
		Coun. Dr. Borhan Amrallah
	The appointment of arbitrators in multiparty arbitrations : the Experience of the Chamber of National and International Arbitration of Milan	
		Mrs. Daniela Morante ISPRAMED's Vice Director; Responsible for International Projects for the Chamber of Arbitration of Milan (ITALY)
	Liability of Arbitrators and Arbitral Institutions -between extension and limitation	
		Ms. Diana C. Droulers
	Decisions on challenges issued by arbitral institutions (positions of State courts and arbitral institutions)	
		Mr. Samy Hurebi Director for Eastern Mediterranean, Middle East and Africa, ICC Dispute Resolution Services (TUNISIA)
The role of state courts in relation to the decisions on challenges of arbitrators issued by arbitral institutions: The experience of the SCC		
	Ms. Marie Öhrström Communication Manger, Setterwalls Law Firm- Stockholm; Former Deputy Secretary General of Stockholm Chamber of Commerce SCC (SWEDEN)	
Removal of arbitrators (Termination of the mission of the Arbitrator)		
	Ms. Rabab M.K. Yasseen	
13.45 : 14.15	Open Discussion	
14.15 : 15.45	Lunch Break at : Fresco Cafe	

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15.45 : 16.45	Third Session : The Concurrent Role of State Courts	
	Moderator: Coun. Mohamed Amin El Mahdy Former President, Egyptian State Council; Former President of Supreme Administrative Court (EGYPT)	
	Enforcement of the arbitration agreement -the efficiency of anti suit injunctions in light of the recent comparative judicial case law	
		Judge. Ahmed Ouerfelli Judge, Legal Adviser to the President of the Republic of Tunisia (TUNISIA)
	Interim measures (in light of the amendments of UNCITRAL model law in 2010- the judicial enforcement of interim measures)	
		Prof. Dr. Mahmoud Samir El Sharkawy Professor of Commercial and Maritime Law; Former Dean, Faculty of Law, Cairo University (EGYPT)
	Arab Arbitration beyond modernity: recent and notable trends in issues of "Extension"	
		Dr. Karim Youssef Partner and Head of Middle East International Arbitration , <i>Mena Associates in association with Amereller Rechtsanwälte</i> ; Associate Professor, Cairo University School of Law (EGYPT)
16.45 : 17.15	The role of state courts in deciding the duration of the arbitral proceedings	
		Dr. Tagelsir M. Hamed Former judge of the High Court ; Judicial inspector at the Dubai Ruler's Diwan(SUDAN)
Open Discussion		

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Day II : Wednesday 28th November 2012

9.00 : 10.00

Fourth Session: The Supervisory role of State Courts

Moderator : Dr. Abdel Hamid El Ahdab

President, Arab Association for International Arbitration ; Secretary -General of the Euro Arab Association for International Arbitration (LEBANON)

State courts and the res judicata of partial and final awards.

Coun. Dr. Adel Koura

Former President of the Court of Cassation; Former President of the Egyptian Supreme Judicial Council (EGYPT)

Is the National Law on Civil Procedures the general primary source for arbitral proceedings?

Prof. Dr. Fathi Waly

Professor of Law; Former Dean, Faculty of Law, Cairo University ; International Lawyer and Arbitrator (EGYPT)

Third party funding in international arbitration

Prof. Bernardo M. Cremades

Former President of the Spanish Court of Arbitration; Senior Partner of the Spanish Law Firm B. Cremades y Associates (SPAIN)

The relationship between the selected rules of procedure and the mandatory rules of procedure of the law of the place of arbitration.

Dr. Karim Hafez

Senior Partner HAFEZ; Member of the Arbitration Court of the London Court of International Arbitration- London (EGYPT)

10.00 : 10.30

Open Discussion

10.30 : 10.45

Coffee Break

10.45 : 11.45

Fifth Session : Enforcement of Arbitral Awards

Moderator : Prof. Bernardo M. Cremades

The Relationship between the judgments of the country of origin of the arbitral award and those of the country of enforcement of the arbitral award. (Comparative judicial position regarding the enforcement of foreign arbitral awards which were set aside in the country of origin – limits and jurisdiction of the judge in country of enforcement.)

Dr. Abdel Hamid El Ahdab

The role of Egyptian courts in the enforcement of arbitral awards

Coun. Ismail Al Ziady

President of the Commercial Seventh Circuit, Cairo Court of Appeal (EGYPT)

The Enforcement of arbitral awards in Qatar

Dr. Minas Khatchadourian

CEO & Secretary General, Qatar International Center for Conciliation and Arbitration (QICCA) (EGYPT/QATAR)

Recent state court decisions on arbitration in Kuwait

Dr. Nasser Al Zaid

Executive Chairman, Kuwait Mediation and International Arbitration Chamber (KMIAC) (KUWAIT)

11.45 : 12.15

Open Discussion

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12.15 : 13.45	Lunch Break at : Fresco Cafe	
13.45 : 14.30	Sixth Session : The Setting Aside of Arbitral Awards	
	Moderator: Prof. Dr. Yehia El Gamal Professor of Public Law, Faculty of Law – Cairo University; Senior Partner, Law Firm of Dr. El Gamal & Abdel Aziz Salem (EGYPT)	
	The Scope of annulment of arbitral awards in both domestic and international fora	
	Prof. Dr. Ahmed S. El Kosheri Senior Partner of Kosheri, Rashed and Riad Law Firm; Former Vice-President of the ICC Court of Arbitration (EGYPT)	
	Setting Aside Motions: Is it time to bid farewell?	
	Dr. Mohamed Salah Abdel Wahab Founding Partner and Head of International Arab Group at Zulficar & Partners; Associate Professor of Private International Law, Faculty of Law, Cairo University (EGYPT)	
	The role of administrative courts in arbitration: Arbitration in administrative contracts revisited	
	Coun. Mohamed Amin El Mahdy	
14.30 : 15.00	Open Discussion	
15.00 : 15.15	Closing Remarks	
	Coun. Dr. Borhan Amrallah Ms. Diana C. Droulers Dr. Mohamed Abdel Raouf	

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