

Under the High Patronage of his Excellency
the President of the Tunisian Republic **Zine El Abidine BEN ALI**

10th IFCAI Biennial International Conference

Contemporary Issues in International Arbitration
Carthage, Tunisia | May 28 & 29, 2009

Co-Organized by :



International Federation
of Commercial Arbitration Institutions



Centre de Conciliation
et d'Arbitrage de Tunis

OBJECTIVE:

Since its inception, IFCAI meets every two years to discuss and deliberate upon issues facing the arbitration community at large. These conferences provide an extremely valuable opportunity to meet, interact and network with some of the world's greatest names in arbitration.

Panels of eminent and experienced international arbitration practitioners will make presentations on developments in the most important areas of international commercial arbitration, with a specific emphasis on the Arab region. The event is especially intended to encourage dialogue and exchange in an interactive and multicultural environment.

PARTICIPANTS:

Lawyers, Judges, experts, academics, seniors and legal executives of enterprises having activities linked to international trade and any person interested in arbitration and international commercial relations.

SPEAKERS AND SESSIONS CHAIRS:

The panel of speakers is composed of international experts having a large practical and academic experience in arbitration and international legal and commercial relations.

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PROGRAMME

Wednesday, 27 May 2009

18.00: Welcome reception, Archeological site of Carthage

Thursday, 28 May 2009

8.00: Registration

9.00: Opening ceremony: President of CCAT
President of IFCAI
Distinguished guests
Local Authorities and Officials

9.00 – 11.00: Session I

International Arbitration in the Arab world: facts, figures and peculiarities

- Use and Practice of Arbitration in the Arab world,
- Arbitration, Conciliation, Litigation
- Arbitration Laws (Uncitral Model Law systems French Law approach) and Conventions
- The role of the Courts

Moderators: Mohamed Ellejmi, President of the Cour de Cassation, Tunisia
Ulf Franke, IFCAI President; Secretary General, Arbitration Institute of the Stockholm Chamber of Commerce, Sweden

Key Note Address: Is there a growing international arbitration culture in the Arab-Islamic judicial culture?,
Ahmad Al Kosheri, Professor of Law, Senior Partner, Kosheri Rashed & Riad, Cairo, Egypt

Panelists:

- Nasser Ganim Al Zaid, Secretary General, GCC Arbitration Center, Bahrain
- Abdallah Dermiche, Attorney at Law, Former President of Casablanca Bar Association; Council member of Rabat International Center for Mediation and Arbitration, Morocco
- Juan Fernandez-Armesto, Arbitrator; former Chairman of the Spanish Securities and Exchange Commission, Madrid, Spain
- Hamza Haddad, Law and Arbitration Center, Amman, Jordan; Secretary General, Arab Union of International Arbitration

Discussion

11.00 – 11.30 Break

11.30 – 13.00: Session II**The arbitrator: selection criteria and features**

- The role of the parties in the appointment of the arbitrators
- The role of the institution in the appointment of the arbitrators (confirmation of the arbitrators, appointment authority)
- Conflict of interests' issues; independence and impartiality (challenge, removal, replacement etc.)

Moderators: **Stefano Azzali**, Secretary General, Chamber of Arbitration of Milan, Italy
Ali Haroun, Attorney at Law; Former Minister of Human Rights; Member of the Arbitration and Mediation Center of the Algerian Chamber of Commerce, Algeria

Panelists:

- **Omar Aljazy**, Aljazy & Co. Advocates & Legal Consultants, Amman, Jordan
- **Ugo Draetta**, Professor of International Law, Catholic University of Milan, Italy
- **Noureddine Ghazouani**, Attorney at Law, Tunis, Tunisia
- **Anne Marie Whitesell**, Dechert LLP, Washington, USA; Former Secretary General of ICC International Court of Arbitration, Paris, France

Discussion

13.00 – 14.30 Lunch

14.30 – 16.00: Session III**Time and costs control**

- Time control; timely issue of the award
- Decisions on the costs of arbitration
- Efficient management of Arbitration

Moderators: **Beji Caid Essebsi**, Attorney at Law; Former Minister; President of CCAT Arbitration Council, Tunisia
Jason Fry, Secretary General, ICC International Court of Arbitration, Paris, France

Panelists:

- **Louis Bernard Buchman**, Partner, Field Fisher Waterhouse, Paris, France
- **Diana Droulers**, Executive Director, Arbitration Center of Caracas Chamber of Commerce and Industry, Venezuela
- **Ahmed Sheta**, Secretary General, Qatar International Center of Arbitration, Qatar
- **Hussam Talhuni**, Director, Dubai International Arbitration Center, UAE
- **Adrian Winstanley**, Director General, London Court of International Arbitration, England

Discussion

16.00 – 16.30 Break

16.30 – 18.00: Session IV**Current procedural issues**

- Interim measures of protection
- Production of evidence
- Third Party intervention in Arbitration

Moderators: **Antoine Akl**, Akl & Akl Law Firm, Beirut, Lebanon; Honorary President of International Association of Lawyers
William K. Slate II, President and CEO, American Arbitration Association, USA

Panelists:

- **Ibrahim Al Mulla**, Advocates & Legal Consultants, Dubai; General Director, Emirates International Law Center, UAE
- **Maged Garoub**, Advocates & Legal Consultants, Jeddah, KSA
- **Yu Jianlong**, Secretary General, CIETAC, Beijing, China
- **Philippe Leboulanger**, Leboulanger & Associés, Paris, France
- **Ergun Ozsunay**, Professor at the Law Faculty, Istanbul University; Legal Counsel, Istanbul Chamber of Commerce, Turkey

Discussion

18.00 End of the first day

20.00 Gala Dinner

Friday, 29 May 2009

9.00 – 10.30: Session V

Finality of the Arbitral Award

- Setting aside of the award
- Enforcement of the award according to national legislation
- Enforcement of award annulled in the country of origin
- Application of the 1958 New York Convention and of Arab Regional Conventions

Moderators: **Bernd Reinmüller**, President of International Association of Lawyers
Mohamed Ibrahim Werfalli, Judge, Libyan Supreme Court, Tripoli, Libya

Panelists:

- **Domenico Di Pietro**, Attorney at Law, Chiomenti Law Office, Rome, Italy
- **Gaston Kenfack Douajni**, President, Association for the Promotion of Arbitration in Africa, Cameroon
- **Ahmed Ouerfelli**, Judge, Center of Legal and Judicial Studies, Minister of Justice and Human Rights, Tunisia
- **Delissa Ridgway**, Judge, US Court of International Trade, New York, USA

Discussion

10.30 – 11.00 Break

11.00 – 13.00: Session VI

Specific sectors

- Investment Arbitration involving parties from the Arab world
- Construction and development: B.O.T. and concession arbitration
- Oil and Gas: what about the *lex Petrolea*

Moderators: **Nabil Elaraby**, Director, Cairo Regional Center for International Commercial Arbitration, Egypt
Nassib Ziade, Deputy Secretary General, ICSID, Washington, USA

Panelists:

- **Mohamed Abdel Raouf**, Secretary General, Cairo Regional Center for International Commercial Arbitration, Egypt
- **Abderrahmane Arrabia**, President, Saudi Council of Engineers, Jeddah, KSA
- **Marc Frilet**, Société d'Avocats, Paris, France
- **Kaj Hober**, Professor of Law, Uppsala University, Sweden
- **Moheddine Kaissi**, Secretary General, Arbitration Center of the Beirut Chamber of Commerce, Lebanon

Summary: **Lotfi Chedly**, Professor of Law, Faculty of Legal, Political and Social Sciences, Tunis II University, Tunisia
Sawsen Yaken, Lawyer, Damascus, Syria

13.00 End of the Conference



Registration Form

10th IFCAI Biennial International Conference

Contemporary Issues in International Arbitration

To be completed and returned to :

Centre de conciliation et d'Arbitrage de Tunis

Centre Galaxy 2000, rue d'Irak, Tour A, 7ème étage – 1002 Tunis, Tunisie

Tel : 216 71 792 350 / 216 71 849 695 ; Fax : 216 71 796 192 ; E-mail : ccat@gnet.tn

Date :
Thursday 28 and Friday 29 May 2009

Venue :
Karthago Le Palace
Les Côtes de Carthage Gammarth, Tunis (Tunisie)

Participant details:

Title (M./Dr/Mrs/etc.)
Name First name
Position
Company
Address
City Post code
Country E-mail
Telephone (.....) Fax (.....)

Registration fee: 350 US \$

Method of payment:

- Bank transfer: Société Tunisienne de Banque (STB) Succursale Thameur
1 Avenue Habib Thameur, Tunis 1000 (Tunisie)
Account N° – IBAN : TN 59 1000 0000 0798 1237 8893 – RIB : 10 000 000 0798123 78893 – Swift : STBKTNTT000
(Please enclose with the duly completed registration form a copy of the bank transfer advice)
- Bank cheque made out to the Tunisian Centre for Conciliation and Arbitration (CCAT) marked
« IFCAI 2009 » (Please clearly indicate the name of the participant)
- Tick here if you require an invoice

Registration will be confirmed only upon receipt of this registration form, duly completed, and copy of payment advice.

If you know a person likely to be interested in this event, please provide his/her contact details below :

Name First name
Company Country
Téléphone (.....) Fax (.....)
E-mail.....

Working Languages:

Arabic, French and English with simultaneous translation.

How to register:

Participants are invited to complete and return the Registration Form here attached to:

**Centre de Conciliation et d'Arbitrage de Tunis - Centre Galaxy 2000, rue d'Irak
Tour A, 7ème étage - 1002 Tunis, Tunisie
Tel: 216 71 792350 / 216 71 849695 - Fax: 216 71 796192 - E-mail: ccat@gnet.tn
Site web : www.ccat.org.tn**

Registration will be confirmed upon receipt of the registration form filled in due form.

Registration fees: 350 US \$

This amount may be reduced to 300 US\$ for groups of 25 participants and more.

Participants will be only registered after payment of the registration fees.

Payment can be in US Dollars or in Tunisian Dinars. Payment methods are detailed in the Registration Form.

Registration fees include:

- The participation to conference sessions
- The available documentation
- Lunch of 28/5/2009, refreshments served in the breaks during the conference on 28 & 29/5/2009, reception of 27/5/2009 and Gala Dinner of 28/5/2009.

Travel and Accommodation:

Participants are responsible for making the travel planning and the room reservation.

Preferential rates have been obtained from Karthago Le Palace Hotel (5*), the conference venue.

Karthago Le Palace Hotel (Rates expressed per room)	single room B&B	130 Tunisian Dinars
	Double room B&B	160 Tunisian Dinars

To book your room, please fill in the attached Accommodation Form and return it to the agency:

AZ TRAVEL: Tel: +216 70 85 09 77 / 70 85 20 00 - Fax: +216 70 85 10 02 - email: az.travel@gnet.tn

In addition to the Karthago Le Palace Hotel, other 5 star hotels in the area of Gammarth, Carthage and Sidi Bou Said are listed below for your convenience. For information or reservation, please contact the agency **AZ TRAVEL**.

GOLDEN TULIP (1,5 km from conference venue):	www.goldentulipcarthagetunis.com
REGENCY (3 km from conference venue):	www.regencytunis.com
BARCELO CARTHAGE THALASSO (2 km from conference venue):	www.barcelo.com
EL MOURADI GAMMARTH (1,5 km from conference venue):	www.elmouradi.com
VILLA DIDON (6 km from conference venue):	www.villadidoncarthage.com
RAMADA (2 km from conference venue):	www.ramadainternational.com
RESIDENCE (2,5 km from conference venue):	www.theresidence-tunis.com
DAR SAID (4 km from conference venue):	www.darsaid.com.tn

Documents:

A secretariat desk will be installed on Wednesday 27/5/2009 from 3.00 pm at Karthago Le Palace to distribute bags and name tags to the participants.

Program of the accompanying:

Participants and their accompanying are kindly asked to contact: **AZ TRAVEL** to book the activities to which they wish to take part (excursions, SPA, Golf...etc).

Visas:

Participants, for whom an entry visa in Tunisia is required, are invited to verify with the Tunisian Embassy of their countries the specific information concerning the eventual visa requirements.

The CCAT is committed to ask the Tunisian Embassies to facilitate the concession of visas to participants.

Cancellations:

Only written cancellations will be taken in consideration. 50% of the registration fee will be refunded for any cancellation received before May 15, 2009. After this date, only 30% will be refunded.

The CCAT accepts that, the participant can be substituted by a person of his/her choice providing that he/she informs the Center before the holding of the conference.