

## **MINUTES OF THE MEETING OF THE IFCAI COUNCIL**

**held in Singapore**

**Maxwell Chambers**

**10 June 2012, 4.00pm**

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### **PRESENT**

Diana Droulers (President) (Caracas Chamber of Commerce – Venezuela)  
Stefano Azzali (Milan Chamber of Arbitration – Italy)  
Adrian Winstanley (LCIA – England)  
William K Slate II (AAA – USA)  
Mohamed Abdel Raouf (CRCICA – Egypt)  
Jason Fry (ICC – France)

#### **1. PRESIDENT'S WELCOME**

The President thanked all those present for attending.

#### **2. APOLOGIES FOR ABSENCE**

Minn Naing Oo, Yaneth Quiroz, Yu Jianlong, Jens Bredow, Abdelwahab El Behi and Annette Magnusson communicated their impossibility to attend this meeting.

#### **3. ADOPTION OF THE AGENDA**

The Agenda for the Council, which had been circulated earlier and was now tabled, was adopted by unanimous agreement.

#### **4. MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Council meeting held in New York City on 17 November 2011 and circulated on 19 March 2012, were approved by the Council and signed by the President.

#### **5. CANDIDATES FOR ELECTION TO THE COUNCIL**

5.1 The President reminded the names of the retiring IFCAI Council members to be substituted:

- Alexander Komarov, Vice President (Former ICAC President – Russia)
- Jason Fry, Vice President (Outgoing ICC Secretary General – France)
- Nassib Ziadé, Councillor (Former ICSID Deputy Secretary General – USA)

5.2 The President presented the names of the candidates proposed by IFCAI members (in response to the Secretary Treasurer's email inviting nominations):

- Miguel Angel Ballesteros, Chair of the Madrid Court of Arbitration (Spain)
- Nassib Ziadé, Director of DIAC (United Arab Emirates)
- Doug Jones, President of ACICA (Australia)
- Meg Kinnear, Secretary General of ICSID (USA)
- Beata Gessel, President of the Lewiatan Court of Arbitration (Poland)
- Chiann Bao, Secretary General of HKIAC (Hong Kong)
- Anthony Abrahams, Director of the CI Arb (England)
- Alexey Kostin, Chair of ICAC (Russia)
- Andrea Carlevaris, Incoming Secretary General of ICC (France)
- Guenther Horvath, Vice President of VIAC (Austria)

5.3 The President reminded that the Council has to comply with its mandate considering due regard to a balanced international representation and to the institutional experience and service to the IFCAI mission, as well as to the candidate profile and to the seniority of membership of the represented Institution.

5.4 After a long discussion and a lively debate, Council members decided to propose the following candidates to the General Assembly for the election to the Council:

- as Vice President, Meg Kinnear (Secretary General of ICSID – USA)
- as Councillor, Andrea Carlevaris (Incoming ICC Secretary General – France)
- as Councillor, Doug Jones (President of ACICA – Australia)

5.5 Taking into account that Doug Jones and Andrea Carlevaris have been appointed in their office only very recently, the Council has decided to propose them as Councillors and to upgrade Annette Magnusson (current IFCAI Councillor) to the charge of Vice President, so that all the vacant positions can be filled.

5.6 The remaining nominees can surely represent an excellent slate of candidates to be proposed during next election process (to be held in 2013).

## **6. FINANCES AND MEMBERSHIP**

6.1 At the President's invitation, the Secretary Treasurer updated the meeting on IFCAI finances and membership.

6.2 The Secretary Treasurer reported that, as at 1<sup>st</sup> June 2012, IFCAI's bank account stood at approximately US\$ 74,133.

6.3 As at the date of this meeting, there were 55 fully paid-up members (2 of these membership fees have not reached IFCAI bank account yet), with another 3 whose membership fees were outstanding for the current year only.

6.4 The following new members were included in the paid-up 55: the Kuwait Mediation and International Arbitration Chamber; the Lewiatan Court of Arbitration from Poland; the Qatar International Center for Conciliation & Arbitration.

6.5 The subscription of the Arab Chamber of Conciliation and Arbitration (Egypt) was outstanding for 2011 and 2012 and it will be, according to the Constitution, struck off.

## 7. IFCAI INSTITUTIONAL ARBITRAL AWARDS SURVEY

The President updated the Council on the recent work related to IFCAI Institutional Arbitral Awards Survey (see enclosure).

## 8. IFCAI WEBSITE

The President reported that the website is under complete reconstruction because the previous version showed various lacks and did not meet members' needs. Further updates will follow soon.

## 9. 12<sup>th</sup> BIENNIAL CONFERENCE

9.1 The President recommended to change the location of the 12<sup>th</sup> Biennial Conference from Caracas to Isla Margarita, where appropriate structures and premises will better suit the needs of the conference.

9.2 The date will be, as already agreed, **March 14** (all day) and **March 15** (only morning), **2013**. Venue and more details shall follow nearer the time.

9.3 With reference to the subject of the conference, the Council agrees to focus on a subject able to attract users from all over the world, in particular from Latin America. For this reason, the topic chosen is "Innovation in arbitration and the role of institutions", that seems broad enough to cover "hot" topics such as 3rd parties funding, emergency arbitrators etc.

## 10. DATE AND PLACE OF NEXT MEETINGS

10.1 The President reminded that the 19<sup>th</sup> General Assembly will be held on the occasion of the 12<sup>th</sup> IFCAI Biennial Conference in Venezuela, Isla Margarita; exact date and time to be advised by the Secretary Treasurer nearer the time.

10.2 The Council also decided to fix the date of the next IFCAI Council in Washington on November 1, 2012 afternoon, on the occasion of the AAA/ICC/ICSID Colloquium on International Arbitration. Venue and time will be communicated in due course.

## 11. OTHER BUSINESS

### ***IFCAI membership fee***

According to the Council, it may be time to increase the membership fee to USD 300 starting from 2013. This issue shall be discussed during next Council to be held in Washington on 1 November 2012.

### ***IFCAI Secretary***

The Council wishes to express its thanks to Lucia Santucci, the Secretary Treasurer's assistant, whose excellent work has ensured the good running of the Federation during these recent years.

Since the costs related to this resource should not be covered solely by the Institution who is in charge with the Secretary of the Federation, the Council has decided to propose to the General Assembly to approve a budget to be used for secretarial assistance.

Such budget might be allocated starting either from now or from the next IFCAI meeting.

**12. CLOSE OF THE MEETING**

12.1 There being no further business, the meeting was declared closed at 6.00pm.

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President

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Date