

Sixth Annual Seminar

International Commercial Arbitration How to Handle a Bilateral Investment Treaty (BIT) Arbitration

WASHINGTON, D.C. | OCTOBER 13-16, 2009

INTERNATIONAL
ARBITRATION
PROGRAM
A GLOBAL FORUM

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WASHINGTON COLLEGE OF LAW
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CO-SPONSORED BY:



American Arbitration Association
Dispute Resolution Services Worldwide



International Centre for Settlement
of Investment Disputes



International Chamber of Commerce
The world business organization





“We are pleased to announce the Sixth Annual Seminar on International Commercial Arbitration. The International Commercial Arbitration Program is designed to educate practitioners and arbitrators in identifying and addressing emerging issues that arise in the field of international arbitration. WCL is an ideal institution for this program which reflects our global vision and commitment to international legal education.”

CLAUDIO GROSSMAN, DEAN,
American University
Washington College of Law

Sixth Annual Seminar on International Commercial Arbitration: How to Handle a Bilateral Investment Treaty (BIT) Arbitration

International arbitration today is a thriving legal practice area presenting diverse and unique challenges to legal practitioners all over the world. It has become the recognized dispute resolution method for international commercial disputes.

The International Commercial Arbitration Program at WCL has developed an intensive annual seminar designed to provide insights on handling arbitration cases and to train legal practitioners to manage cases effectively in an international context. The seminar was conceptualized in collaboration with our co-sponsors: the International Court of Arbitration of the International Chamber of Commerce (ICC), the American Arbitration Association (AAA), and the International Centre for the Settlement of Investment Disputes (ICSID).

Since 2004, the program has organized many activities, including seminars on mock arbitration cases under the rules of arbitration of our co-sponsoring institutions. This year’s seminar will feature a mock case that will be discussed primarily under the auspices of the ICSID.

WHY YOU SHOULD ATTEND

This exclusive seminar has been developed to help private practitioners and in-house counsel meet the challenges of this exciting practice area. Handling international arbitration cases, either as counsel or as an arbitrator, requires specialized expertise that varies from case to case. Using interactive lectures and mock arbitration exercises, a group of distinguished experts will teach participants the skills, strategies and tactics necessary to successfully handle BIT cases.

The seminar will discuss

- preliminary steps in ICSID Arbitration;
- preparatory conference and arbitral procedure;
- the preparation and filing of an arbitration request;
- the answer to a request for arbitration;
- the production of evidence;
- how to conduct an arbitration hearing; and,
- the making of an arbitral award.

ABOUT THE PROGRAM

The International Commercial Arbitration Program was developed at American University Washington College of Law to analyze the practical and theoretical issues surrounding the development of international commercial arbitration.

The program was created under the direction of Dr. Horacio A. Grigera Naón, an independent international arbitrator and consultant on business and international law matters. He is a former Secretary General of the International Court of Arbitration of the ICC and has been a practitioner in the field of international commercial arbitration and international business law for over twenty-five years.

Program Schedule

All sessions will take place in the Mooers-Morella Ceremonial Courtroom (603).

* Free and open to the public. Registration required.

TUESDAY, OCTOBER 13

9:00–9:10 AM* | Opening Remarks
DEAN CLAUDIO GROSSMAN

9:10–10:00 AM* | Introduction to the Seminar and Presentation on Current Issues in the Practice of International Commercial Arbitration
HORACIO A. GRIGERA NAÓN

10:15 AM–12:15 PM* | Current Developments in International Arbitration: An Institutional Perspective
BETTY SOUTHARD MURPHY (MODERATOR)

Observations from the American Arbitration Association (AAA) – LUIS M. MARTINEZ

Views from the International Centre for Settlement of Investment Disputes (ICSID) – NASSIB G. ZIADÉ

An International Chamber of Commerce (ICC) Court of Arbitration Update – JASON FRY

12:15–2:00 PM | Luncheon

2:00–3:00 PM | STAGE I: Preliminary Steps in ICSID Arbitration
CLAUDIA FRUTOS-PETERSON

3:00–5:30 PM | Preparatory Conference and Arbitral Procedure
JAMES MENDENHALL

6:00–8:00 PM | Opening Dinner

WEDNESDAY, OCTOBER 14

9:00 AM–12:00 PM | STAGE II: The Arbitration Request
NIGEL BLACKABY

12:15–2:15 PM | Luncheon

2:15–5:15 PM | STAGE III: Answer to the Arbitration Request
PAUL S. REICHLER

THURSDAY, OCTOBER 15

9:00–10:15 AM | Presentations and Discussions on the Selection, Rights, Duties, and Role of the Arbitrator

From the Parties' Point of View – JONATHAN C. HAMILTON

From an Institutional Perspective – ANDRES RIGO SUREDA

10:30 AM–12:00 PM | State of Necessity in BIT Arbitration
GABRIEL BOTTINI, LLUIS PARADELL TRIUS, AND ICSID REPRESENTATIVE

12:15–2:15 PM | Luncheon

2:15–5:00 PM | STAGE IV: Special Focus on Evidentiary Issues

JOHN L. GARDINER, MIRIAM HARWOOD, AND ICSID REPRESENTATIVE

5:30–7:00 PM | Networking Cocktail

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FRIDAY, OCTOBER 16

9:00 AM–12:00 PM | STAGE V: The Arbitral Award
HENRI ALVAREZ, MARGRETE STEVENS, BRIGITTE STERN

12:15–2:15 PM | Luncheon

2:15–3:45 PM | Domestic and International Remedies from the Perspectives of BIT Arbitration: Coexistence or Conflict?
AHMED SADEK EL-KOSHERI AND FRANKLIN BERMAN

4:00–5:00 PM | Issues of Annulment and Enforcement of ICSID Awards
ANTONIO R. PARRA

5:00–6:00 PM | Closing Remarks – Reception
HORACIO A. GRIGERA NAÓN, DEAN CLAUDIO GROSSMAN, AND ICSID REPRESENTATIVE

COOPERATING INSTITUTIONS:

- Inter-American Bar Association
- Inter-American Commercial Arbitration Commission

MEDIA PARTNERS:



How to Register

Online:

You can apply online at:

www.wcl.american.edu/arbitration/application

Fax or Mail:

Applications can be accessed online at:

www.wcl.american.edu/arbitration

They can also be requested at (202) 274-4321 or via e-mail at arbitration@wcl.american.edu.

Complete the application form and fax it to (202) 274-4226 or mail it to:

International Arbitration Program

American University

Washington College of Law

4801 Massachusetts Avenue, NW

Washington, DC 20016

Telephone: (202) 274-4321

Upon receipt of your application you will be sent a letter confirming that you have been registered to attend the event.

Application Requirements

- 1) Hold a law degree and have exposure to international business law;
- 2) Be fluent in English; and,
- 3) Submit a resume or curriculum vitae.

International Participants

We recommend that international participants register at least five weeks prior to the Seminar. It is the participant's responsibility to apply for a visa at the American Embassy or Consulate in their home country. Please take into consideration that application procedures differ from country to country and that you may need to schedule an interview appointment in advance.



Earn up to 22 CLE credits (26 if NY).

Accreditation for all other states applied for as requested.

Hotel Accommodations

The International Commercial Arbitration Program does not provide housing for Seminar participants. However, room rates have been established at a local hotel and are available upon request. For additional information, please contact us at (202) 274-4321 or via e-mail at arbitration@wcl.american.edu.

Fees

Registration includes materials, breakfasts, lunches, the opening dinner, and closing reception.

Advance registration

until September 1, 2009: \$1,850

General registration

September 2 – October 13, 2009: \$2,000

Please contact us for group and special rates.

Cancellation policy

Written cancellation received three business days prior to the Seminar will be fully refunded. Cancellations after that time will not be refunded, however, seminar materials will be sent and access to webcasts will be provided. Substitutions will be considered.

RESERVE YOUR PLACE TODAY

Call: **(202) 274-4321**

E-mail: arbitration@wcl.american.edu

Register online: www.wcl.american.edu/arbitration/application

Special Needs: Any person with disabilities attending the conference who believes he or she might need a reasonable accommodation to participate should contact us at least two weeks in advance.

Faculty

DR. HORACIO A. GRIGERA NAÓN

Director, International Commercial Arbitration Program
Former Secretary General of the ICC
International Court of Arbitration
Washington



HENRI C. ALVAREZ QC
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**American University Washington College of Law
Fourth Annual Lecture on International Commercial Arbitration**

Keynote Speaker:

Jan Paulsson

Principal Consultant, Freshfields Bruckhaus Deringer LLP, Paris

Thursday, November 5, 2009, 5:30 pm

Reception immediately following
Moors-Morella Ceremonial Courtroom (603)

American University Washington College of Law
4801 Massachusetts Avenue, NW
Washington, DC 20016

RSVP: (202) 274-4321, arbitration@wcl.american.edu

A Continuing Legal Education Program

EO/AA University and Employer

**2010 International Arbitration Summer Session
June 1–June 18, 2010, Washington, D.C.**

Topic areas include:

- Nuts and Bolts of International Commercial Arbitration
- *Arbitraje Comercial Internacional* (in Spanish only)
- Practical Skills and Cross-Examination in International Arbitration
- Investor-State Arbitration
- International Arbitration and Choice-of-Law Issues
- Salient Issues in ICC Arbitration
- Federal Arbitration Act

All courses can be taken for academic credit or Continuing Legal Education (CLE) credit.
A certificate will be presented upon completion of the program.