



EBS Law School Arbitration Day
18 November 2016
2:00 p.m. – Lecture Room Sydney

C L I F F O R D
C H A N C E

EBS  Law School

All new and all better?

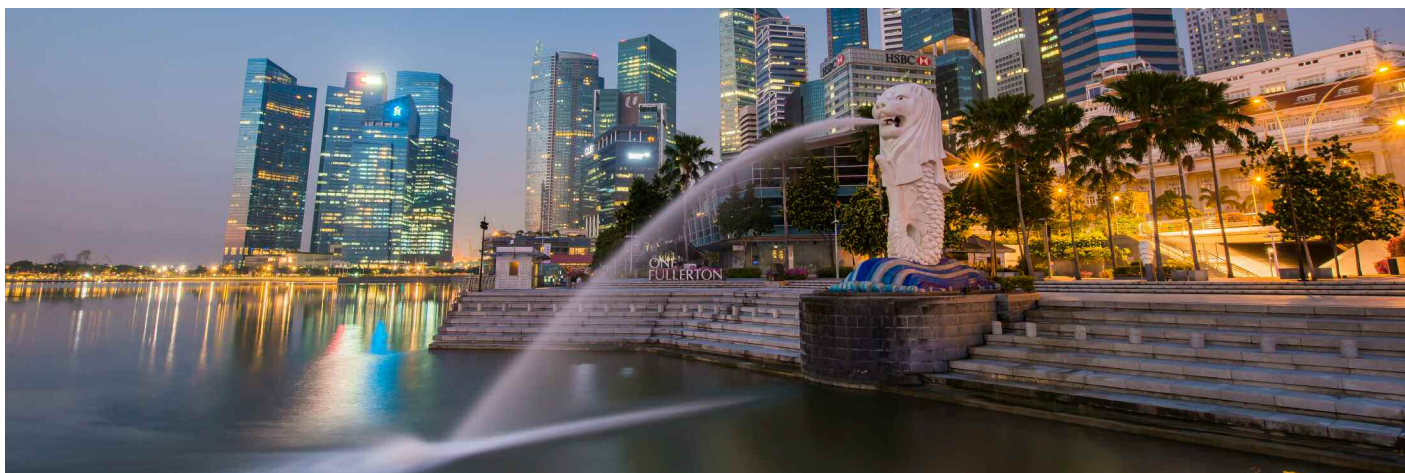
From New Rules to New Courts:

The Quest for Improved Systems of Arbitration

1:30 p.m.	Registration
2:00 p.m.	Dispute Resolution in Asia: Dominated by the Singaporean Merlion?

There is no major arbitral institution that has not reformed its arbitration rules in recent years in the course of an ongoing quest for improved systems of arbitration. The German Institution of Arbitration (“DIS”) is following suit and has just started a reform process to update its 1998 Arbitration Rules. Only one major arbitral institution has, however, updated its international rules twice in only three years: the Singapore International Arbitration Centre (“SIAC”). The new 2016 SIAC Rules introduced a new early dismissal mechanism and regulations for multi-contract disputes. Could the fairly detailed SIAC Rules be a role model for the future DIS Rules or should the 2012 Arbitration Rules of the International Chamber of Commerce rather act as a model? The SIAC Rules may furthermore not be the only Singaporean invention where Singapore leads by example: The new Singapore International Commercial Court (“SICC”) was officially launched on 5 January 2015. The SICC is intended to be the Asian centre for resolving international commercial disputes, in particular, international banking and financial disputes. Does Europe need a court like this as well? Questions like these will be discussed by our three experienced panelists.

Speakers	Claudia Annacker, Cleary Gottlieb, Paris Simon Greenberg, Clifford Chance, Paris Elan Krishna, Clifford Chance, Singapore
Moderator	Prof. Dr. Matthias Weller, EBS Law School
3:30 p.m.	Coffee Break



4:00 p.m.	The Iran-United States Claims Tribunal: a role model for international arbitration?
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Happy Birthday! The Iran-United States Tribunal celebrates its 35th birthday this year. Despite the fact that it has been labelled as “the most significant arbitral body in history” and despite its potential major relevance especially for investor-state arbitration, the Tribunal’s work is a work behind the scenes even for many arbitration specialists. How much have the Court’s rulings (secretly) influenced the world of arbitration. And could and should this institution be a role model for dispute resolution mechanisms in international trade agreements such as the Transatlantic Trade and Investment Partnership (“TTIP”)? The EU Commission has already answered the latter question with “yes”: Its proposal for dispute settlement in TTIP takes its inspiration from adjudicatory models which operate between states (such as the WTO bodies) or are controlled by states (such as the Iran- US Claims Tribunal). Is this justified and the right path? Join us for a debate on these topics!

Speakers	Dr. Cristina Hoss, Legal Adviser to Judge Bruno Simma, Iran-US Claims Tribunal, Den Haag
Moderator	Dr. Alexandra Diehl, LL.M., Clifford Chance, Frankfurt
5:00 p.m.	Coffee Break



5:30 p.m.	TTIP and CETA: On a Road to Nowhere or to Success?
<p>Regional integration has gained a lot of momentum over the last decades: As of 1 July 2016, more than 600 Regional Trade Agreements were notified with the World Trade Organization. A growing number of them include investor protection and investor-state dispute resolution mechanisms. It turned out to be one of the central questions in the TTIP and CETA negotiations how to organize convincingly dispute resolution. In CETA, the EU's "new approach" has been implemented: institutionalization or deprivatization, permanent tribunals, appeal proceedings, formalized qualification and impartiality requirements for the arbitrators, 15 in total, nominated by the EU and Canada. Yet, a constitutional complaint (<i>Verfassungsbeschwerde</i>) against the investor-state dispute settlement provisions (and other issues of CETA) is pending. The Panel will discuss pros and cons of the EU's new approach, thereby taking into consideration the 13 October preliminary CETA decision of the German Constitutional Court (<i>Bundesverfassungsgericht</i>) and the outcome of the US elections.</p>	
Key Note	Free Trade Agreements: New Rules for Globalization? Dr. Hubertus Bardt, Cologne Institute for Economic Research (IDW)
Panel Discussion	Prof. Dr. R. Alexander Lorz, University of Düsseldorf, Secretary for Public Education, German State of Hesse, Wiesbaden Representative from the U.S. Consulate in Frankfurt Prof. Dr. André Schmidt, EBS Business School/University Witten-Herdecke Prof. Dr. Mathias Wolkewitz, General Counsel Legal, Taxes, Insurances, Wintershall AG Prof. Dr. Andreas Fisahn (tbc), University of Bielefeld
Moderators	Dr. Alexandra Diehl, LL.M., Clifford Chance, Frankfurt/Prof. Dr. Matthias Weller, EBS Law School, Wiesbaden
7:15 p.m.	Wine Tasting Reception with Welcoming Remarks by Burkhard Schneider, LL.M., Clifford Chance, Frankfurt



Prof. Dr. Matthias Weller, Mag.rer.publ.

Chair for Civil Law, Civil Procedure and Private International Law EBS Law School

Director of the Research Center for Transnational Commercial Dispute Resolution (TCDR)

Gustav-Stresemann-Ring 3, 65189 Wiesbaden

Office Management:

Claudia Mueller

claudia.mueller@ebs.edu

Tel.: +49 (0) 611 7102 2214

Fax: +49 (0) 611 7102 10 2214

Do not hesitate to contact us anytime if you have questions!

The EBS Law School is located in the centre of Wiesbaden in 5 min walking distance from Wiesbaden Railway Main Station and in 30 min driving distance from Frankfurt International Airport.

Recommendations for accommodation nearby:

Motel One Wiesbaden

Kaiser-Friedrich Ring 81

65185 Wiesbaden

Tel.: +49 (0) 611 45 02 80

Dorint Hotel Pallas Wiesbaden

Auguste-Viktoria-Str. 15

65185 Wiesbaden

Tel.: +49 (0) 611 33 06 0

B&B Hotel Wiesbaden

Mainzer Str. 89

65189 Wiesbaden

Tel.: +49 (0) 611 73 66 90

Looking forward to seeing you!

Please help us planning the event by registering (**claudia.mueller@ebs.edu**)



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EBS  **Law School**

Düsseldorf

Königsallee 59
40215 Düsseldorf
Tel: +49 211 4355 0
Fax: +49 211 4355 5600

Frankfurt am Main

Mainzer Landstraße 46
60325 Frankfurt am Main
Tel: +49 69 7199 01
Fax: +49 69 7199 4000

München

Theresienstraße 4-6
80333 München
Tel: +49 89 21632 0
Fax: +49 89 21632 8600