CEPANI
THE BELGIAN CENTRE FOR ARBITRATION AND MEDIATION

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Responsible editor : Michel Flamée

Agenda

24 April 2013

CEPANI40 lunch debate with Prof. Herman Verbist on the topic of "Transparency in investment arbitration"

15 May 2013

Lunch debate with Mr. Jacques Levy-Morelle on the topic of " Mon expérience comme membre de la Cour d'arbitrage de la CCI"

20 June 2013

15:00-16:00	CEPANI General Assembly
16:00-17:00	Launch of b-Arbitra (Belgian review of arbitration)
17:00-18:00	CEPANI Scientific Prize Ceremony

19 September 2013

CEPANI40 lunch debate with Mr. Michael Bühler on the topic of "Costs and efficiency in arbitration" and "Major changes in the ICC Rules of Arbitration"

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Joint Conference CEPANI -VIAC

24 October 2013 (14:00-17:00)

CEPANI40 seminar on the topic of "The new 2013 CEPANI Rules of Arbitration" (all presentations will be held in English)

7 November 2013 (14:00-17:30)

CEPANI40 studienamiddag "Arbitrage in de praktijk" in samenwerking met de Vlaamse Conferentie bij de balie te Antwerpen.

28 November 2013 (09:00-18:00)

Annual CEPANI seminar on the topic of "Arbitration and Confidentiality" (the presentations will be held in Dutch and French)

For more information on our upcoming activities, please consult our website :
www.cepani.be

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- b-Arbitra: objectives and challenge **(by *Guy Keutgen, President of the Scientific Committee*)**

Report on the CEPANI40 lunch debate of 14 March 2013 with Prof. Keutgen on the subject of CEPANI's new Arbitration Rules (**by** *Vera Caimo*)

Report on the 20th Annual Willem C. Vis International Commercial Arbitration Moot on 22-28 March 2013 **(by** *Inès Denison, Emilie Detroz and Rachel Hardy***)**

Legislation, Doctrine & Jurisprudence

Commentaire des articles 23 (« Instruction de la cause ») et 38 (« Disposition supplétive ») du nouveau Règlement d'arbitrage du CEPANI **(par** *Pascal Hollander***)**

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Washington College of Law International Commercial Arbitration Summer Program (28 May – 15 June 2013, Washington)

ICDR Y&I and ASA Below 40 Joint Seminar (31 May 2013, Geneva)

News

CEPANI launches b-Arbitra, the brand new Belgian Review of Arbitration

By Maud Piers and Jean-François Tossens,

In May 2013 "b-Arbitra", the Belgian Review of Arbitration, will be launched. b-Arbitra is an initiative of CEPANI and subscribes to the objective of CEPANI to promote edifying debate and in-depth research in the field of arbitration. b-Arbitra is dedicated to promoting dialogue on novel issues in the field of arbitration and aims to provide a dynamic forum for the exchange of information on a European scale.

It will provide a valuable source of pertinent information to lawyers involved in arbitration and bring new developments to the policy makers' attention in order to further the quality of the arbitration law and practice in Belgium. An international board of editors presided by Maud Piers and Jean-François Tossens and an eminent Scientific Committee chaired by Guy Keutgen stand surety for the high-quality selection of legal articles.

b-Arbitra is also unique in that it welcomes contributions in English, as well as in Belgium's official languages Dutch, French and German. Each of these articles is accompanied by a summary in the English language. This biannual peer-reviewed journal fosters a comparative approach that opens up new avenues of creative research and critical thinking, and this in light of the increasing number of cross-border disputes and the internationalization of arbitration.

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Introduction to b-Arbitra

By Prof. Dr. Michel Flamée,
Chairman of CEPANI,

Observe always that everything is the result of a change...

The newly launched b-Arbitra Review is the result of efforts undertaken by CEPANI since its inception in 1969 to establish arbitration and mediation as dispute settlement instruments in Belgium.

In its capacity as arbitration centre, CEPANI has drawn up a set of rules which can be consulted on its website (www.cepani.be).

CEPANI has also constantly been striving to raise the quality of the arbitrators it has appointed, through the organization of a number of study days and seminars on arbitration. Regular reports published on these activities attest to this.

These efforts have helped CEPANI become Belgium's leading arbitration institution, in terms of both the number and scope of arbitration cases and also the complexity of the disputes coming under its arbitration.

Moreover, CEPANI works in close cooperation with the International Chamber of Commerce. In 2011, the ICC appointed no fewer than fifty Belgian arbitrators to

various functions (single arbitrator, co-arbitrator or chairman of an arbitration college).

Over the last few months, a series of major projects have been launched. For instance, the CEPANI arbitration rules have undergone a radical revision and the new version came into force on 1 January 2013. This new set of arbitration rules will be used for the 2013-2014 Willem C. Vis Moot Competition.

In addition, the mediation rules and the rules for domain name dispute resolution have been updated and these new versions have entered into force in 2013.

Perhaps most importantly of all, CEPANI has been working hard for an overhaul of the section of the Belgian Judicial Code on arbitration. Once again, 2013 could well be the year that these efforts come to fruition.

All these developments naturally require some comment. Besides, there has been a considerable increase in recourse to arbitration, at both national and international level.

The question thus arose as to whether the time had come for CEPANI to sponsor a legal journal offering both Belgian and foreign lawyers and practitioners at high scientific level a more sustainable news medium than the traditional CEPANI Newsletter.

Under the impulse of former CEPANI Chairman, Guy Keutgen, an editorial board accepted the challenge of launching the Belgian Review for Arbitration, under the editorial responsibility of Maud Piers and Jean-François Tossens. This Review seeks to attract high-quality contributions, which will be published under a double-blind peer-review system. These contributions will endeavour to analyse numerous developments in the field of arbitration and focus on key questions which call for solid answers.

CEPANI's excellent contacts with the International Chamber of Commerce and its affiliated organisations, its multilingualism, and its culture of open debate on matters of alternative dispute resolution all guarantee the success of the project.

May we take this opportunity to thank and congratulate all of those who have made the b-Arbitra start-up possible, not least the publisher. We hope that the contributions appearing in b-Arbitra will be intellectually satisfying and of practical use for the reader.

b-Arbitra: objectives and challenge

By Prof. Dr. Guy Keutgen,
President of the scientific Committee,

The publication of b-Arbitra responds to an insistent request from the Belgian arbitration community to have at its disposal a scientific journal reflecting developments in arbitration and of exerting an influence on such developments.

The objectives of the founders of the journal are multiple and various.

To be quite clear from the start, the idea is not to create a Belgo-Belgian publication. It is a fact that the development of arbitration occurred first at the international level and only later at the national level.

Furthermore, Belgium is a country with an open economy which means that, whether by necessity or by choice, its legal scholars and practitioners must be open to the international world beyond the country's borders.

This explains the choice for a multilingual journal: b-Arbitra will include articles written in one of the three Belgian national languages – French, Dutch and German – as well as in English. All articles will include a summary in English.

As a consequence, alongside articles reflecting developments in Belgian national arbitration law, the journal will also be open to the publication of articles written by foreign authors concerning international arbitration or arbitration in their respective countries.

A second objective is to make b-Arbitra a leading light for everything that is done or that is proposed in relation to arbitration in Belgium. In our country there is a large body of case law which lacks visibility due to its being spread over many different reporting media. The clear intention of the founders of b-Arbitra is to inscribe the "favor arbitrandum" of this case law, which reinforces the reputation of Belgium, and of Brussels in particular, as a place for international arbitration. We address a call to the entire Belgian legal community – practitioners, corporate counsel, judges and the academic world – to supply the journal with important case law annotations and legal articles.

The third goal is to publish a journal of a high scientific standard. Given its international make-up, the Scientific Committee that I preside must guarantee the highest standard for the journal. The Committee's members will be called upon, two by two, to do a "double-blind peer review", in other words, a critical and anonymous review prior to possible publication of all draft contributions.

Indeed, we must ensure that the new journal, via original doctrinal and case law articles, contributes to the progress of arbitration as the preferred method of dispute resolution in economic matters.

To begin with, b-Arbitra, which is supported by the internationally known Belgian Centre for Arbitration and mediation (CEPANI), will be published twice a year. The intention, however, is to rapidly get to a quarterly publication.

The challenge is taken up by two young editors-in-chief, accompanied by an Editorial Board. Both teach and practice arbitration in Belgium and abroad. Maud Piers, whose

thesis on sector arbitration received high critical acclaim, is a Professor at the University of Ghent and Jean-François Tossens teaches arbitration law at the Catholic University of Louvain and is heading a leading law firm in Brussels.

In closing, allow me to offer my very best wishes to b-Arbitra, which is born under the best of auspices, and may it very quickly obtain the recognition it deserves in the Belgian as well as in the foreign arbitration community.

Report on the CEPANI40 lunch debate of 14 March 2013 with Prof. Guy Keutgen on the subject of CEPANI's new arbitration rules

By Vera Caimo,
Lawyer (senior associate) at Claeys & Engels

CEPANI has adopted new Arbitration Rules and to get acquainted with them, Prof. Guy Keutgen gave an overview of the most important changes and underlying rationale at the March lunch debate of CEPANI40.

Unless parties specifically request otherwise, the new CEPANI arbitration rules will apply to all requests for arbitration submitted as of 1 January 2013. Requests submitted before this date in principle remain subject to the 2005 rules.

The changes can be divided into two categories. On the one hand there are the more 'formalistic" changes, such as regarding the arbitrator's role, confidentiality and notification of the arbitral award. On the other hand, there are the changes on the merits, such as concerning interim and conservatory measures, the consolidation of separate arbitrations and the liability of CEPANI and the arbitrators.

The first article of the new rules starts with a clear description of what CEPANI is: not an arbitrator as such, but an independent body which administers arbitration proceedings, including the appointment (confirmation) of arbitrators and the determination of the arbitration costs. CEPANI makes administrative decisions that are thus not subject to nullity claims. To fulfill its activities CEPANI is composed of an Appointments Committee, a Challenge Committee, a President and a Secretariat.

Prof. Keutgen then set out the essential changes, starting with the chapter on multiple parties and multiple contracts. An arbitration can take place between more than two parties or can revolve around claims arising out of various contracts. With the new rules, CEPANI wants to facilitate arbitration for parties so that in those occurrences only a single arbitration needs to take place.

Intervention of a third party in an arbitration is possible, at the request of a party or the third party itself, provided that the arbitral tribunal has not yet been appointed (or confirmed) by CEPANI. This is to avoid conflicts of interest, since the arbitrators need to know the identity of the parties before they can accept their mandate.

When multiple arbitrations are related or indivisible, CEPANI can order their consolidation. This decision is taken either at the request of the most diligent party, of the arbitral tribunal or any one of them. If not all parties support the consolidation, CEPANI will, before deciding on the request, consider whether the parties have not excluded consolidation in the

arbitration agreement and the claims in the separate arbitrations have been made pursuant to the same arbitration agreement. If the separate claims were not made under the same arbitration agreement, CEPANI will check whether the agreements are compatible. The progress in each of the arbitrations will also bear on the decision to consolidate or not.

Under the new rules any nominated arbitrator will be asked to sign a statement of availability, acceptance and independence. A statement of impartiality will not be asked for (contrary to the ICC). Decisions on the appointment of arbitrators need to be motivated, but not communicated. CEPANI will keep the motivated decisions in its files.

The rules on the arbitral proceedings essentially remain unchanged (e.g., the principle that arbitration only starts upon full payment of the provision). Important principles are rather being emphasized, such as that proceedings must be conducted in a timely manner and in good faith. CEPANI can now take the arbitrator's slow pace into account when determining his/her final fees. A party can be sanctioned for actions that slow down the proceedings, since the arbitrator can take this into account when deciding what proportion of the costs will be borne by each party.

Prof. Keutgen further drew attention to the following elements of the arbitral proceedings in the new rules: (i) the power of the arbitral tribunal to freely decide on the rules on the taking of evidence, unless the parties agree otherwise, (ii) the obligation of the arbitral tribunal to declare the proceedings closed, and (iii) the confidentiality of the entire arbitration proceedings (so not only the hearing as provided for in the 2005 rules), unless the parties decide otherwise or in case of legal obligations for stock listed companies.

The 2005 rules already mentioned the possibility to request interim and conservatory measures within arbitral proceedings (with explicit reference to Article 1679 §2 Judicial Code), but the new rules include several new provisions which will accelerate obtaining such measures from an arbitrator. The exact procedure depends on whether or not an arbitral tribunal was already constituted. In the latter case, CEPANI will appoint an arbitrator within 48 hours after the request who will decide provisionally on the urgently requested measures. The emergency arbitrator will render his/her decision within 15 days of receipt of the file. To set this procedure in motion, the requesting party must pay a provision of 15.000 EUR to cover the arbitration costs, in the absence of which no arbitrator shall be appointed. The arbitrator will send his decision directly to the parties, with a copy to CEPANI. The emergency arbitrator cannot be appointed as arbitrator on the merits of the case.

With regard to the arbitral award, the new rules provide that (i) the arbitrators must render their decision within six months (instead of four) as of the terms of reference, (ii) the decision must be motivated, and (iii) the decision will be notified by registered mail and e-mail.

Considering the higher liability exposure of arbitrators today, but also that CEPANI and the arbitrators are providing a paid service, CEPANI decided to opt for a new rule limiting, but not excluding, the liability of the arbitrators and CEPANI (contrary to, for example, the ICC). A distinction is made between the decision-making power of the arbitrator –for which he will not incur any liability except in case of fraud– and any other act or omission by an arbitrator in the course of an arbitration –for which the arbitrators and CEPANI will not incur any liability except in the case of fraud or gross negligence.

Whereas the final rule used to refer to the Judicial Code for all matters not provided for by the CEPANI Rules, it now states that "for all issues that are not specifically provided for, the arbitral tribunal and the parties shall act in the spirit of the Rules and shall make every reasonable effort to make sure that the Award is enforceable at law, unless otherwise agreed by the parties". This change was inspired by the increasing international character of CEPANI arbitrations, rendering the Belgian Judicial Code unsuited to act as supplementary law.

Prof. Keutgen concluded his overview of the new CEPANI Rules by adding that they were drafted by practicing arbitrators, making it possible to also anticipate the practice. The most important new provisions are those relating to the intervention of third parties, the consolidation of arbitrations, the speedy and loyal nature of the proceedings, interim and conservatory measures, the confidentiality of the proceedings, liability and supplementary law.

Report on the 20th Annual Willem C. Vis International Commercial Arbitration Moot (Vienna, 22-28 March 2013)

By Inès DENISON, Emilie DETROZ and Rachel HARDY,
Law students at the University of Liège

The 20th edition of the annual Willem C. Vis International Commercial Arbitration Moot took place from 22 until 28 March 2013 in Vienna. For Prof. Eric Bergsten this was his last year as Director of the Moot, after having directed the organization for the twenty previous years and for which he was honoured during the opening ceremony on Friday evening.

This year the Moot gathered more than 1.800 students from 67 countries. The arbitration rules of the Chinese European Arbitration Centre ("CEAC") governed the Moot problem. CEAC is a young arbitration institution founded less than five years ago and its rules are based on the 2010 UNICITRAL Arbitration Rules. Next year, during the 21st edition, the Vis Moot will be governed by the new 2013 CEPANI Rules of Arbitration.

The problem pertained to a contract for the manufacturing of polo shirts between Claimant (Mediterraneo Exquisite Supply Co.) and Respondent (Equatoriana Clothing Manufacturing Ltd.). Respondent could not fulfil its obligations in time due to a strike affecting Respondent's supplier. Moreover, an issue had arisen regarding the use of child labour in one of Respondent's production facilities causing Claimant to avoid the contract. As usual all contractual matters were to be argued mainly under the CISG. On a more procedural level, the issues at stake focused on the admissibility of a national reservation made by Claimant's state of residence and the admissibility of a written witness statement.

Since October 2012 students from all over the world had been working on their written memoranda. As from 23 March 2013 they had the opportunity to present their oral arguments in Vienna during one week.

After four days of general rounds of arguments and two days of elimination rounds, the final argument took place on Thursday evening between City University of Hong Kong and Monash University (Australia). City University of Hong Kong finally won the competition. The University of Belgrade and the University of Munich submitted the best Memoranda for Claimant and National University of Singapore won the award for the best Memorandum for Respondent. The complete award list can be found on the official Moot website at http://www.cisg.law.pace.edu/cisg/moot/awards20.html.

Belgium was represented by Ghent University and the University of Liège at this 20th annual Willem C. Vis International Commercial Arbitration Moot. It was the first time that the University of Liège participated in the Moot. To prepare for the oral arguments, a Pre-Moot had been organised in Ghent, which also contributed to the solidarity between the two universities. Without any doubt the Moot was an enriching experience for both Belgian teams. It gave the students the opportunity to present their arguments in front of practitioners and law professors from different countries and to get their constructive comments and advice after the pleadings allowing them to improve themselves for their future careers.

The week in Vienna also was the perfect occasion to meet other students, practitioners and law professors from all over the world who all share interests in the fields of international commercial law and arbitration. This was not only a real academic challenge, but also an excellent formation for future law practitioners. To quote Prof. Eric Bergsten: "*The Moot is not a competition, it is an education around a competition*".

As mentioned above, the new 2013 CEPANI Rules of Arbitration will be applied during the 21st Willem C. Vis International Commercial Arbitration Moot 2013-2014. By way of introduction to the new CEPANI Rules, CEPANI40 will be hosting an afternoon seminar in Brussels on 24 October 2013 that will cover all major innovations.

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Legislation, Doctrine & Jurisprudence

Commentaire des articles 23 (« Instruction de la cause ») et 38 (« Disposition supplétive ») du nouveau Règlement d'arbitrage du CEPANI

Par Pascal HOLLANDER,
Associé Hanotiau & van den Berg (Bruxelles),

L'un des principaux avantages de l'arbitrage, par rapport à la procédure judiciaire, consiste dans la flexibilité qu'il offre aux parties et aux arbitres, qui leur permet d'adopter les règles de procédure les plus adaptées au litige. Cette flexibilité est au demeurant inscrite dans l'article 1693.1° du Code judiciaire qui énonce que, sans préjudice des dispositions de l'article 1694 (qui garantissent le respect des droits de la défense en arbitrage), « les parties déterminent les règles de la procédure arbitrale (…). A défaut de manifestation de volonté des parties dans le délai fixé par le tribunal arbitral, cette détermination incombe aux arbitres. (…) »

En pratique, il est assez rare, pour ne pas dire exceptionnel, que les parties arrêtent par avance et de commun accord les règles qu'elles entendent voir appliquer à la procédure arbitrale qu'elles sont sur le point ou viennent d'entamer. C'est donc généralement aux arbitres qu'il revient d'arrêter ces règles, en général après avoir consulté les parties à ce sujet.

Or, on constate que, trop souvent, les arbitres ne fixent pas, au début de la procédure arbitrale, les règles qu'ils entendent suivre pour mener celle-ci. En l'absence d'un cadre procédural de référence, ces arbitres ont dès lors tendance à appliquer mutatis mutandis les règles contenues dans le Code judiciaire notamment pour ce qui concerne l'administration des preuves.

Pourtant, la transposition pure et simple à l'arbitrage des règles établies par le Code judiciaire dans ces matières, n'est pas toujours satisfaisante, car elle empêche de mettre en œuvre des techniques beaucoup plus souples et modernes d'administration des preuves, que ce soit au niveau de la production de documents, de l'audition de témoins ou de la comparution des parties, ou encore de l'expertise.

Il suffit de penser au formalisme extrême avec lequel le Code judiciaire envisage la tenue d'une enquête civile (c'est-à-dire l'audition d'un témoin), ce qui décourage les plaideurs de recourir à ce mode de preuve, comme en atteste le caractère exceptionnel de leur mise en œuvre dans un procès judiciaire civil ou commercial. Or, le succès que connaissent les preuves orales en arbitrage international (mais aussi de plus en plus national) dépend en très large part de la souplesse dans leur administration, et en particulier de la possibilité de se dégager du carcan formaliste des règles prescrites par le Code judiciaire en la matière.

C'est dans cet esprit que les rédacteurs du nouveau Règlement du CEPANI ont envisagé deux nouvelles règles.

L'article 23 nouveau (qui remplace l'article 18 de l'ancien règlement), qui régit l'instruction de la cause, innove à deux endroits.

D'une part, son paragraphe premier précise que « [l]e tribunal arbitral et les parties agissent avec célérité et loyauté dans la conduite de la procédure. Les parties s'abstiennent en particulier de tout moyen dilatoire ou de tout autre agissement ayant pour objet ou effet de retarder la procédure. »

Cette nouveauté est la bienvenue et nous paraît être le corollaire nécessaire de la flexibilité accrue du nouveau Règlement quant à l'instruction du litige : cette flexibilité ne doit en effet pas devenir un moyen pour une partie mal intentionnée de paralyser la procédure arbitrage ou de la retarder indûment. Le rappel explicite de ce principe par le nouvel article 23.1 est donc utile.

D'autre part, un nouvel alinéa a été inséré dans le paragraphe 2 de l'article 23, qui énonce qu'« [à] moins qu'il n'en ait été convenu autrement par les parties, le tribunal arbitral arrête librement les modalités d'administration des preuves ».

Certes, sous l'empire de l'ancien Règlement, les arbitres disposaient déjà implicitement de cette faculté, par application de l'article 1693.1° du Code judiciaire. La confirmation explicite de la liberté donnée aux arbitres de fixer, lorsque les parties n'en sont pas convenues autrement, les modalités d'administration des preuves est cependant très importante, car elle devrait encourager tous les arbitres siégeant en application du nouveau Règlement à s'écarter, lorsqu'ils l'estime opportun, des règles souvent très formalistes du Code judiciaire dans ce domaine, et à leur substituer des

règles plus adaptées à la gestion moderne des arbitrages.

L'article 23, alinéa 2 du Règlement 2013 du CEPANI permet ainsi, par exemple, aux arbitres d'organiser la production de documents en s'inspirant du Redfern Schedule qui a fait ses preuves en arbitrage international, ou encore d'organiser l'audition des parties ou de témoins selon les technique de l'interrogatoire et du contre-interrogatoire par les conseils à l'audience (sous le contrôle du tribunal arbitral) (Sur les modalités d'administration "modernes" des preuves orales en arbitrage, voir P. HOLLANDER, « L'importance des preuves orales dans la procédure arbitrale », J.T. 2011, p. 41).

L'autre innovation du Règlement 2013 qui va dans le sens du renforcement de la flexibilité de l'arbitrage est la réécriture complète de la règle supplétive qui clôture le Règlement.

Alors que l'ancien règlement disposait en son article 28 que pour tout ce qui n'y avait pas été expressément visé, il se référait à la sixième partie du Code judiciaire, sauf si les parties en étaient convenues autrement, le nouvel article 38 abandonne toute référence au Code judiciaire, et prévoit désormais que « [s]auf si les parties en sont convenues autrement, pour tout ce qui n'est pas expressément visé par le règlement, le tribunal arbitral et les parties agissent en s'inspirant de celui-ci et en faisant tout effort raisonnable pour que la sentence soit susceptible d'exécution. »

La modification de cette règle supplétive se justifiait d'une part afin de tenir compte du cas où un arbitrage est conduit en application du Règlement du CEPANI dans un pays autre que la Belgique. Dans pareille situation, le renvoi supplétif aux dispositions du Code judiciaire belge pouvait s'avérer délicat, spécialement si des règles procédurales impératives régissent l'arbitrage dans le pays où il a lieu, qui diffèrent de celles du Code judiciaire belge.

D'autre part, une étude comparative des règlements des principales institutions d'arbitrage (notamment, les règlements de la CCI, de la LCIA, du NAI, de la SCC, du DIS, du VIAC, du SIAC et les Règles Suisses pour l'Arbitrage International) a montré que ceux-ci ne contenaient pas de renvoi aux dispositions procédurales en vigueur dans le pays où elles se situent les institutions et qu'ils mettent plutôt en avant l'esprit du règlement et l'objectif de rendre une sentence exécutable.

Cette déconnection du Règlement du CEPANI des règles du Code judiciaire va donc incontestablement renforcer la flexibilité procédurale des arbitrages conduits en application du nouveau règlement. Il va cependant de soi que les arbitres devront continuer à veiller au respect des règles procédurales d'ordre public ou impératives applicables aux arbitrages menés dans le pays où ils siègent.

References

Doctrine

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- M. MOSER, "The 'Pre-Hearing Checklist' – A Technique for Enhancing Efficiency in International Arbitral Proceedings", ***Journal of International Arbitration*** 2013/2, p. 155-159

Varia

Washington College of Law International Commercial Arbitration Summer Program (28 May – 15 June 2013, Washington).

The 2013 International Commercial Arbitration Summer Program of the Washington College of Law will take place from 28 May through 15 June 2013. The three-week Summer Program exposes practitioners to critical skills and practical insights into handling arbitration cases under various arbitration systems. The session brings together world-renowned practitioners and arbitrators presenting six seminars designed for professional development. Luncheons and networking activities provide participants with the opportunity to exchange information and interact with their peers and expert instructors The full program and online registration is available on https://www.wcl.american.edu/arbitration/summersession.cfm.

ICDR Y&I and ASA Below 40 Joint Seminar (31 May 2013, Geneva).

The International Centre for Dispute Resolution Young & International (ICDR Y&I) and the Swiss Arbitration Association Below 40 (ASA Below 40) are co-hosting a joint seminar on the topic of "The Empty Chair – Arbitrating Against Absent Respondents" which will be held in Geneva on 31 May 2013. More information can be found at the ICDR Y&I website www.icdr.org.

The CEPANI Newsletter always appreciates receiving interesting case law and legal doctrine concerning arbitration and alternative dispute resolution. Any relevant articles, awards, events and other announcements can be sent to newsletter@cepina-cepani.be. CEPANI may publish and/or edit contributions at its discretion.