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## AGENDA

20 OCTOBER 2015 (13:30-18:00)

CEPANI40 Fall Conference on "What a Counsel in Arbitration can do, must do or must not do?"

27 OCTOBER 2015 (13:00-19:00)

CEPANI Arbitration Academy: Class 4 "Complex Arbitrations"

18 NOVEMBER 2015 (13:00-19:00)

CEPANI Arbitration Academy: Class 5 "Witness Evidence"

8 DECEMBER 2015 (13:00-19:00)

CEPANI Arbitration Academy: Class 6 "Enforcement & Setting Aside"

## NEWS

**AFSCHIED GUY KEUTGEN ALS CO-HOOFDREDACTEUR NEWSLETTER / DÉPART DE GUY KEUTGEN EN TANT QUE CORÉDACTEUR EN CHEF DU NEWSLETTER**



Meer dan 10 jaar na het tot leven brengen van de CEPANI Newsletter neemt haar initiator Prof. Em. Guy KEUTGEN afscheid als co-hoofdredacteur.

Onder zijn auspiciën ontwikkelde de newsletter zich tot een essentieel instrument om CEPANI bij zijn leden en dit zowel nationaal als internationaal te positioneren. Met Vanessa Foncke, voormalig co-hoofdredacteur, kwam dit CEPANI-medium de vaste maandelijkse afspraak met zijn lezers na. Zodoende geniet de newsletter inmiddels een notabele bekendheid als bron van wat er leeft bij CEPANI en in de arbitragegemeenschap.

Op een boogscheut van de 100e editie van de newsletter gaat onze oprechte erkentelijkheid uit naar de erevoorzitter van CEPANI. De newsletter is maar één van de vele elementen die de inspanningen aftekenen die Prof. Em. Guy Keutgen gedurende de voorbije decennia heeft geleverd voor CEPANI.

Nadat Vanessa Foncke een jaar geleden de fakkel doorgaf aan Sigrid Van Rompaey, zal deze laatste na het afscheid van Prof. Em. Guy Keutgen met zorg en toewijding de newsletter verder redigeren als hoofdredacteur.

Sigrid Van Rompaey  
Hoofdredacteur

Dirk De Meulemeester  
Verantwoordelijk uitgever

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Plus de dix ans après le lancement de la newsletter du CEPANI, son initiateur, Guy KEUTGEN, quitte aujourd'hui son poste de corédacteur en chef.

Sous son égide, la newsletter est devenue un outil essentiel pour positionner le CEPANI auprès de ses membres, sur le plan à la fois national et international. Grâce à Vanessa FONCKE, l'ancienne corédactrice en chef, elle s'est érigée en rendez-vous mensuel avec ses lecteurs. La newsletter bénéficie dans l'intervalle d'une réputation solide en tant que source de ce qui se vit au sein du CEPANI et dans l'arbitrage national et international.

À la veille de la 100e édition de la newsletter, nous exprimons toute notre gratitude au Président honoraire du CEPANI. La newsletter n'est qu'une des nombreuses initiatives que Guy Keutgen a menées en faveur du CEPANI au cours des dernières décennies.

Vanessa Foncke ayant passé le flambeau à Sigrid Van Rompaey il y a un an, c'est cette dernière qui assurera désormais la fonction de rédacteur en chef.

Sigrid Van Rompaey  
Rédacteur en chef

Dirk De Meulemeester  
Editeur responsable

**CEPANI ARBITRATION ACADEMY - EXPERT LEVEL: ONLY TWO PLACES LEFT**



*All classes can be taken individually, as a single unit, as well.*

#### PROGRAMME FALL 2015

##### **Class 1: "Complex Arbitration"**

27 October 2015 (13:00 - 19:00)

Chair: Prof. Didier Matray

[View the full programme](#)

##### **Class 2: "Witness Evidence"**

17 November 2015 (13:00 - 19:00)

Chair: Pascal Hollander

[View the full programme](#)

##### **Class 3: "Enforcement and setting aside"**

8 December 2015 (13:00 - 19:00)

Chair: Prof. Hakim Boularbah

[View the full programme](#)

- Participants receive an exclusive binder with unique materials from real (fully anonymised) procedures, provided by several expert arbitrators
- Thought-provoking video-testimonials from over ten internationally renowned Belgian arbitration experts
- Learn from 9 different teachers in this edition alone, each and every one of them among the very best in Belgian arbitration
- Interactive classes based on an exchange of real-life experiences and know-how
- Challenging discussions with experts and co-participants alike
- Credits for continuing legal education
- Participants to all three Classes receive a certificate confirming their participation

## CEPANI40 FALL CONFERENCE ON "WHAT A COUNSEL IN ARBITRATION CAN DO,

## MUST DO OR MUST NOT DO?"



On 20 October 2015, CEPANI40 is organising its Fall Conference on the topic of what a counsel in arbitration can do, must do or must not do. A book will be published on the occasion of the colloquium, included in the registration fee.

### Programme

13:30 Introduction - **Benoît Kohl**

13:40 Ethical questions regarding counsel conduct in arbitration - **Maxi Scherer**

14:20 Choosing the right forum for your client's dispute - **Pascal Hollander**

14:50 How to assist your client in drafting the arbitration clause - **Filip De Ly**

15:20 Coffee break

15:40 Successfully enforcing arbitral awards: issues to consider before, during and after the arbitral proceedings - **Hakim Boularbah**

16:10 Panel discussion: *How (not) to behave as counsel in arbitration - practical tips and observations*

16:10 Arbitrator's point of view - **Joachim Knoll**

16:40 Counsel's point of view - **Françoise Lefèvre**

17:00 Client's point of view - **Luc Imbrechts**

17:20 Arbitral institution's point of view - **Emma Van Campenhoudt**

17:40 Q&A and Conclusions - **Vanessa Foncke**

18:00 Cocktail

The registration form is available on the CEPANI website or [by clicking here](#).

We look forward to welcoming you to this CEPANI40 event!



## CEPANI INTERN DAYS, A LOOK BEHIND THE SCENES (28 JULY - 18 AUGUST 2015)



**By Ilham Kabbouri, LLM Candidate, School of Oriental and African Studies (SOAS), University of London**

On the 23rd of July, a group of students and newly qualified lawyers made their way to the first edition of the "CEPANI Intern Days".

The day promised to give the attendees the unique opportunity not only to learn some of the basics of arbitration, but also to take a look behind the scenes of the arbitral institution. It absolutely delivered on that promise and even exceeded the interns' expectations.

The morning opened up with **Dirk De Meulemeester**, president of CEPANI, who gave us an introduction to arbitration before presenting the arbitral centre. What made Mr. De Meulemeester's talk compelling is that he knew his audience and delivered a highly interactive presentation. He not only took as starting point the questions we had about



CEPANI and our expectations for the day but he also tailored his presentation to our level of knowledge about arbitration. He highlighted why Brussels is an Arbitration Hub and how CEPANI differs from institutions like the LCIA or the ICC. What I take from this first lecture is that CEPANI and Brussels distinguish themselves from other arbitration hubs by three main features. First, "centrality", Brussels, as seat of the European Institutions, is a key place in Europe where not only arbitration experts but also experienced interpreters are based. Second, CEPANI is internationally known for its highly "collaborative" culture given its partnerships with other arbitral institutions in Europe, Asia and the Middle East (hopefully soon Africa?). These close partnerships enhance and promote CEPANI at an international level through shared knowledge and expertise. Third, the "modernity" of the rules and the legislation applicable in Belgium makes CEPANI an ideal centre for arbitration.

The "modernity" of the Belgian Arbitration Act of 2013 was reflected in the excellent overview of the Belgian Law on Arbitration given by **Sophie Goldman** (Strelia) and **Maxime Berlingin** (NautaDutilh) in the second presentation of the day. Sophie and Maxime provided us with a great introduction on the legal framework for arbitration in Belgium by looking at the scope of application of the Act and the rules it provides for.

After this fantastic review, we were offered a delicious lunch during which we had the opportunity to network and talk to high level arbitration experts and members of CEPANI such as **Marc Dal** (DALDEWOLF) and **Pascal Hollander** (Hanotiau & van den Berg).

Following the pleasant gathering, **Vanessa Foncke** (JonesDay) opened the afternoon talks with a presentation of CEPANI40 that we all joined after the Intern Day. Then, **Sigrid Van Rompaey** (Matray Matray & Hallet) and **Xanne Huybrecht** (CEPANI Communications & PR Manager) presented respectively the CEPANI Newsletter and the different communication tools used by CEPANI together with the Events & Projects organized by the Institution. Finally, after a tour of the offices, Deputy Secretary General **Emma Van Campenhoudt** addressed the process of a CEPANI arbitration procedure by including all the steps involved and the realistic timeline of such procedure.

The CEPANI Intern Day was a great experience. On behalf of all interns, I would like to take this opportunity to thank CEPANI for organizing it.



## **REPORT OF THE 63RD SESSION OF UNCITRAL WORKING GROUP II (ARBITRATION AND CONCILIATION): "ENFORCEMENT OF SETTLEMENT AGREEMENTS RESULTING FROM CONCILIATION" (7-11 SEPTEMBER 2015, VIENNA)**

**by Dr. Herman Verbist, lawyer at the Ghent Bar and Brussels Bar (Everest attorneys)**



The 63rd session of UNCITRAL Working Group II (Arbitration and Conciliation), was held in Vienna from 7 to 11 September 2015. The session of the Working Group was chaired by **Ms. Natalie Yu Lin Morris-Sharma**, who is Deputy Senior State Counsel at the International Affairs Division of the Attorney-General's Chamber of Singapore. The "members" present at the meeting in Vienna represented 43 countries and 21 countries were represented among the "observers". Three intergovernmental organisations and 28 non-governmental organisations (among which CEPANI) were also represented. In total, more or less 200 persons attended this session. The CEPANI delegation consisted of **Mr. Dirk De Meulemeester**, **Mr. Jean-François Tossens** and **Dr. Herman Verbist**.

The UNCITRAL Working Group received a mandate from the UNCITRAL Commission to work on the topic of the enforcement of settlement agreements resulting from conciliation, to identify the relevant issues and develop possible solutions, including the preparation of a Convention, model provisions or guidance texts (A/69/17, Report of 47th session of General Assembly UNCITRAL, 7-18 July 2014, par. 129; A.CN.9/822, Proposal by the Government of the United States of America: Future work for Working Group II, 2 June 2015; A/70/17, Report of 48th session of General Assembly UNCITRAL, 29 June-16 July 2015, par. 142).



At the 63rd session of Working Group II of UNCITRAL, various issues were discussed in this regard: whether the instrument should deal with the enforcement of international conciliation agreements only or also with the enforcement of domestic conciliation agreements; whether the scope of the instrument should be limited to commercial settlement agreements; whether settlement agreements involving government agencies should be excluded; whether the settlement agreements may include only pecuniary obligations or also non-pecuniary obligations; the form requirements of settlement agreements; whether the settlement agreement should address the agreement to submit to conciliation; whether a distinction should be made between recognition and enforcement of settlement agreements and whether the instrument would need to address recognition in addition to enforcement; whether the enforcement regime envisaged by the instrument would make settlement agreements directly enforceable or whether it should incorporate a review or control mechanism in the State where the settlement agreement originated as a pre-condition for enforcement; which grounds to refuse the enforcement of settlement agreements could be raised.

After having discussed these various issues, the Working Group concluded its 63rd session with the opinion expressed by many delegations that it is too early to decide at this stage whether the instrument should be a Convention or new provisions for the UNCITRAL Model Law on International Commercial Conciliation or Guidance Notes. On the basis of the comments made by the delegations during the 63rd session, the Secretariat of UNCITRAL will prepare a text for discussion at the 64th session of Working Group II scheduled in February 2016 in New York.



## INTERVIEW WITH CHARLES PRICE ON MEDIATION IN COMMERCIAL DISPUTES



*Charles Price, Lawyer at the Brussels Bar (Cruyplants Eloy Wagemans & Partners), has been practicing commercial and business law in Belgium for over 40 years. For the CEPANI newsletter, he shared with us his thoughts on the role of mediation in solving commercial disputes.*

### **We hear a lot about mediation but why is it important?**

Mediation is important because it provides a means of settling disputes which avoids long court proceedings. The Belgian court system now has to treat over 1 million cases per year and is getting very close to imploding. I'm very much in favour of giving the courts and the judicial system all the means they need in order to operate a proper judicial system worthy of a 21st century modern state. However we have to find other solutions, failing which parties will increasingly take the law into their own hands. How can you expect a plaintiff in a court case to accept that the first instance case may take 1 to 2 years with a further 4 to 6 years on appeal? It's completely absurd. Mediation has become a necessity if we are to maintain the rule of law.

### **Is there a real potential for mediation in Belgium?**

According to the figures produced by the Minister of Justice, less than 1 % of cases are solved by mediation in Belgium, as against nearly 80% in Canada. Of the various types of ADR cases handled by the ICC 90% are mediations. Henry Ford said that statistics are bunk but it seems to me that, whichever way you look at it, this is a pretty good indication that there is enormous potential for the growth of mediation in Belgium. I don't believe that Belgian litigants are any different from parties in dispute elsewhere in the world. They are all looking for a resolution of their dispute and that resolution must come in a realistic time frame and at a reasonable cost.

### **Are there any particular areas in which you see a role for mediation?**

In my view the real challenge for mediation is in the resolution of commercial disputes. Mediation in family matters seems to be reasonably popular and working well enough. Likewise, mediation plays an important role in solving neighbourhood disputes and to a lesser extent in tenancy and rental disputes. But the real area where mediation has failed to take off, despite all the efforts that have been made in recent years to promote mediation and despite the attempts by some courts to virtually impose mediation on the parties, is that of commercial disputes. Somehow we have managed to create a situation where we now have many hundreds of qualified commercial mediators, who are required to do more and more training as a condition of maintaining their qualification, but most of whom have handled no, or only a handful of, actual mediation cases.

### **So, in your view, how has this situation come about?**

I confess it remains a mystery to me. However it is clear that in general parties in commercial disputes are not turning to mediation to solve their disputes and that mediation in commercial disputes, insofar as it is being used, is not producing sufficiently good results



in order for it to be seen as an attractive alternative. I suspect that one of the problems is that mediation is not being used with sufficient *flexibility*. Typically, parties are in dispute and one or other of them decides to introduce court proceedings. At this time their lawyers or, possibly the court, may suggest mediation. Assuming this request is accepted by the parties, a mediation is attempted. If that mediation fails, then the court proceedings are resumed, the lawyers deal with the procedural aspects and there is no further attempt to mediate and, indeed no further dialogue or even contact between the parties. In this scenario, mediation is a one shot process which, once it has been attempted, is abandoned and never reconsidered. This fails to take account of the fact of the *dynamics* of a dispute and the fact that the parties' attitude to a dispute necessarily evolves over time, meaning that at the later stages of a dispute they may be willing to consider mediation options which they have rejected at the beginning of the dispute. The mediation option needs to be constantly available so that it can be presented to the parties at such time as the parties are most likely to be receptive to a mediated solution.

### **What is the role of mediation in relation to arbitration?**

I think we really need to expand the role of mediation in arbitration. One of the main advantages of arbitration over traditional court proceedings is the fact that arbitration is an ongoing process where the Arbitral Tribunal maintains constant and close contact with the parties and their counsel throughout the arbitration proceedings. This means that the Arbitral Tribunal can, and should, carry out effective case management and this case management includes being constantly aware of the possibility of organizing attempts at mediation. The phrase currently in vogue is "mediation windows", for which the Arbitral Tribunal needs to be constantly on the lookout.

### **But then what about the traditional limitations on med-arb and arb-med and the need to maintain the independence of the Arbitral Tribunal?**

The Arbitral Tribunal does need to avoid doing anything which compromises its independence and impartiality. However we should not forget that, from the parties' point of view, the resolution of the dispute without an Award is a better solution than the rendering of an un-attackable Final Award. I think we need to include mediation in the package which is proposed to the parties when they agree to commence arbitration. For example, we should be looking to get the parties to agree in the Terms of Reference to mediation options that the Arbitral Tribunal can propose to the parties as and when it deems it appropriate. These various mediation options could be set out and detailed in different protocols which are proposed to the parties and from which they select the mediation processes that they agree to have included in the arbitration process.

### **In this context is the role of the Arbitral Tribunal limited to proposing mediation which is then carried out by an agreed third party?**

This has always been the traditional view. I would respectfully suggest that we need to go beyond this and have the Arbitral Tribunal play a more active part in managing the mediation process and creating the opportunities for mediation. For instance, assuming this is included in one of the protocols to which I have referred and which has been accepted by the parties, it may be helpful for the Arbitral Tribunal to decide at a particular moment in time that it is going to rule on certain but not all of the issues and, having so ruled, to then instigate a mediation process for some or all of the remaining issues. Indeed provided the parties have confirmed their agreement to the process, I see no reason why the Arbitral Tribunal cannot be empowered to indicate to the Parties, without prejudice to any Final Award that it may render, what its current position is on a particular issue before it proposes mediation. Another thing that the Arbitral Tribunal can do, if covered by a protocol accepted by the parties, is to appoint a "conciliator" whose job it is to seek to conciliate the parties and failing conciliation to give a non-binding opinion on all or certain of the issues raised by the dispute.

### **So the conclusion is that arbitration on its own is no longer enough?**

I think that is where we are heading. Arbitration institutions are now aware of the fact that the parties want a more sophisticated dispute resolution product which maximizes the chances of solving their dispute. The ICC Mediation Rules in force since 1 January 2014 are specifically deigned to work hand in hand with the ICC Arbitration Rules as part of a globalized dispute resolution process. This is the future.



## **REFERENCES**



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### International

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Prejudiciële verwijzing – Ruimte van vrijheid, veiligheid en recht – Justitiële samenwerking in burgerlijke zaken – Verordening (EG) nr. 44/2001 – Toepassingsgebied – Arbitrage – Daarvan uitgesloten – Erkenning en tenuitvoerlegging van buitenlandse scheidsrechterlijke uitspraken – Bevel uitgevaardigd door een in een lidstaat gevestigd scheidsgerecht – Bevel ertoe strekkende dat de inleiding of de voortzetting van een procedure voor een gerecht van een andere lidstaat wordt verhinderd – Bevoegdheid van de gerechten van een lidstaat om erkenning van de scheidsrechterlijke uitspraak te weigeren – Verdrag van New York

Renvoi préjudiciel – Espace de liberté, de sécurité et de justice – Coopération judiciaire en matière civile – Règlement (CE) n° 44/2001 – Champ d’application – Arbitrage – Exclusion – Reconnaissance et exécution des sentences arbitrales étrangères – Injonction prononcée par un tribunal arbitral situé dans un État membre – Injonction visant à empêcher l’introduction ou la poursuite d’une procédure devant une juridiction d’un autre État membre – Pouvoir des juridictions d’un État membre de refuser la reconnaissance de la sentence arbitrale – Convention de New York

Reference for a preliminary ruling — Area of freedom, security and justice — Judicial cooperation in civil matters — Regulation (EC) No 44/2001 — Scope — Arbitration — Not included — Recognition and enforcement of foreign arbitral awards — Order issued by an arbitral tribunal having its seat in a Member State — Order that proceedings not be brought or continued before a court of another Member State — Power of the courts of a Member State to refuse to recognise the arbitral award — New York Convention

### National

- Brussels Court of Appeal 22 April 2014, *R.W.* 2015/16, afl. 1, p. 20-22

Arbitrage – Rechtspleging – Recht van verdediging – Afwijzing van vordering op grond van middel dat partijen niet hebben aangevoerd – Aan partijen geen gelegenheid gegeven hierover verweer te voeren – Gevolg – Vernietiging

Arbitrage – Procédure – Droits de la défense – Rejet de la demande sur la base d’un moyen non soulevé par les parties – Pas de possibilité pour les parties de faire valoir leurs observations – Conséquence – Annulation

Arbitration – Procedure – Due Process – Rejection of claim on a ground that parties did not raise – No opportunity for parties to comment on – Result – Setting Aside

## Articles

### International

- D. VAN GERVEN and M. BERLINGIN "Arbitration and Company Law in Belgium", *European Company Law* 2015/12, no.3, p.132-137
- C. VERBRUGGEN, "Le rôle de la magistrature dans le développement de l’arbitrage – le point de vue belge", *J.T.L.* 2015/38, p. 40-45
- A. TROSSEN, "Die Zerstückung der Mediation", *SchiedsVZ* 2015/4, p.187-191

### National

- D. PHILIPPE, "Le bouleversement de l’économie contractuelle en droit belge", *Rev. dr. Int. et comp.* 2015/2, p. 158-164
- B. VAN DEN BERGH, "(Grenzen aan) het recht van verdediging: toegepast op een eis tot nietigverklaring van een arbitrale sententie", *R.W.* 2015/16, afl.1, p. 22-26
- P. WAUTELET, "Les procédures concurrentes en Europe: les innovations du Règlement 1215/2012", *T.I.P.R.* afl. 1, p. 148-156

## Books

- A. CRUQUENAIRE, *Le contentieux des nouveaux noms de domaine (new gTLDs)*, Brussel, Kluwer, 2015, 168p.

- B. DARMOIS et E. GLUCKSMANN, *Procédures parallèles et décisions contradictoires*, Bruylant, 2015, 174p.
- G. KEUTGEN et G.-A. DAL avec la collaboration de M. DAL et G. MATRAY, *L'arbitrage en droit belge et international. Tome I - Le droit belge, 3ème édition revue et augmentée*, Bruxelles, Bruylant, 2015, 816 p.



## VARIA

### • Dutch Arbitration Day (15 October 2015, Amsterdam)

The Dutch Arbitration Association will hold its third annual conference on Thursday 15 October 2015. This year's conference will focus on **Tested Improvements in International Arbitration**.

09:30-10:00 Registration, coffee and refreshments

10:00-10:15 Opening - Prof. Gerard Meijer (NautaDutilh)

10:15-11:30 Legal sociological view on international arbitration - Prof. Bryant Garth (University of California, Irvine)

11:30 Break

11:45-13:00 Increased Expediency Panel - Prof. Kaj Hobér (Three Verulam Buildings), Prof. Loukas Mistelis (Queen Mary University), Mrs. Patricia Nacimiento (Norton Rose), Mr. Jurjen de Korte (Eversheds)

13:00-14:15 Shifting Balances in Asia & Walking Lunch - Lord Williams of Baglan

14:15-15:30 The Youngsters Panel - Mrs. Mirjam van de Hel-Koedoot (NautaDutilh), Mrs. Emma Van Campenhoudt (CEPANI), Mr. Florian Mohs (Pestalozzi), Mr. Niek Peters (Cleber), Prof. Stefan Kröll (Bucerius University)

15:30 Break

15:45-17:00 Checks and balances in international arbitration Panel - Hon. Thomas Johnson (Iran-US Claims Tribunal), Mr. Louis Flannery (Stephenson Harwood), Mrs. Annet van Hooft (Bird & Bird), Mr. Julien Fouret (Betto Seraglini)

17:00-17:15 Closure - Mr. Maarten Drop (Cleber)

17:15-18:00 Drinks reception and/or the future of international construction arbitration and the Netherlands

18:30-21:30 Dinner at VandeMarkt (Weesperzijde 144 Amsterdam)

To register or for further information concerning the conference, please visit <http://www.dutcharbitrationassociation.nl/events/dutch-arbitration-day-2015>.

### • ICC 35th Annual Meeting Class and Group Actions in Arbitration (30th November 2015, Paris)

This conference will address the many issues that arise in class and group arbitrations. Is there a place for such proceedings within the framework of the arbitration process and, if so, how can or should they be organized and conducted? What lessons have been learned from experience of such cases, both in North America and elsewhere, over the course of the last decade, and what does the future possibly hold?

The event organized by the ICC Institute of World Business Law will take place at the Marriott Paris Champs-Elysées Hotel in Paris, France. For more information, [please visit the event page by clicking here](#).

### • IBA Survey on IBA Guidelines and Rules

The IBA Arbitration Committee formed the Arbitration Guidelines and Rules Subcommittee in order to monitor how the IBA practice rules and guidelines for arbitration are being applied throughout the world. To this end, the Subcommittee has compiled the following brief survey concerning the use of three IBA practice rules and guidelines: the IBA Rules on the Taking of Evidence in International Arbitration (2010), the IBA Guidelines on Party Representation in International Arbitration (2013), and the IBA Guidelines on Conflicts of Interest in International Arbitration (2014) – [accessible here](#).

Your response to this survey will help the IBA Arbitration Committee to better understand local practices and developments involving or impacting the practice rules and guidelines. With this understanding the IBA Arbitration Committee will endeavor to identify potential areas of clarification or improvement in the IBA practice rules and guidelines. The Subcommittee will periodically make recommendations to the IBA Arbitration Committee for adjustments to the practice rules and guidelines as it deems necessary or when requested to do so.

Due to the nature of the survey platform, the survey must be completed in its entirety as partial progress cannot be saved.

You are free to identify yourself or not identify yourself in providing a response to the survey. However, we ask that you at least identify the jurisdiction in which you primarily practice as to permit us to gather data

about the local practices and developments within that jurisdiction. The collective and collated answers of the Subcommittee will be made available on the IBA website and published on an ongoing basis.

You have the Subcommittee's sincere appreciation and thanks for your assistance in this important endeavor. If you have any questions please feel free to contact the Reporter -- practitioners from around the world have graciously agreed to facilitate the work of the Subcommittee in their respective jurisdictions -- for your specific jurisdiction who can assist you with completing the survey if you have any questions (see list of Reporters at close of survey).

On behalf of the IBA, thank you in advance.

Please find the survey here: <https://www.surveymonkey.com/r/IBAGuidelines>.

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**Responsible publisher**

Dirk De Meulemeester

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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@cepani.be](mailto:newsletter@cepani.be). CEPANI may publish and/or edit contributions at its discretion.

 **TOP**

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