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“ICC Arbitration & Amicable Dispute Resolution – Focus on India”

... an ICC Dispute Resolution Services Seminar

16 July 2011 (Saturday)
9.30am – Registration
10am to 4.30pm – Seminar
(including a networking lunch)

The Lalit Hotel
(Regal Room)
New Delhi, India

SEMINAR PROGRAMME

Opening Remarks (10am - 10.10am)

... by Mr Raghu Mody, President, ICC India and Mr Jason Fry, Secretary General, ICC International Court of Arbitration

Special Remarks (10.10am - 10.25am)

... by Mr Fali S Nariman, Senior Advocate, Supreme Court of India, Past Vice Chair of ICC International Court of Arbitration and Honorary President, International Council for Commercial Arbitration (invited*)

Session One

International Arbitration and the ICC (10.25am – 11.05am)

... by Mr Jason Fry - Secretary General, ICC International Court of Arbitration

- introduction to the ICC
- international arbitration and amicable dispute resolution services ("ADR") under the ICC
- an update on ICC's initiatives and commitment to Asia Pacific
- statistical update on ICC arbitration in 2010
- **SPECIAL SECTION** - **update on the revision of the ICC Rules of Arbitration and highlights of the new rules**

The ICC Arbitration Process (11.00am – 11.30am)

... by Ms. Khong Cheng-Yee – Director and Counsel, Secretariat of the ICC International Court of Arbitration – Asia Office

- hallmark features of the ICC arbitration process
- scrutiny of ICC arbitral awards and the role of the ICC Court
- role of the Asia Office of the ICC International Court of Arbitration Secretariat

Other ICC Dispute Resolution Services and its integration with ICC Arbitration (11.35am – 12.05pm)

... by Ms. Ow Kim Kit - Director, ICC Arbitration and ADR, Asia

- ADR Rules of the ICC – unique characteristics and flexibility of the rules
- Expertise, Dispute Boards and DOCDEX
- Integration of ICC DRS with ICC Arbitration

TEA BREAK (12.05pm to 12.15 pm)

Practical Tips for Conducting International Arbitrations (12.15 noon – 1.10pm)

... by [Mr Christopher Lau, Senior Counsel – 3VB \(Singapore\)](#) and [Mr Deepankar Sanwalka, Executive Director, KPMG](#)

- pre-contract negotiation and points to note in the arbitration agreement
- drafting an ICC arbitration clause in the contract
- things to consider : jurisdictional issues, multi-party issues, seat of arbitration, constitution of the arbitral tribunal, challenges against arbitrators
- resolving Indian business disputes – a backdrop: “the business users’ dilemma?”
- effectively resolving business disputes through the use of arbitration – “the client’s story”
- concerns over time and costs in arbitrations – how to ensure the efficacy and economy of the arbitration proceedings

LUNCH (1.10pm to 2.10pm)

Session Two

International Arbitration in India – an update (2.10pm – 2.50pm)

... by [Mr. Harish N. Salve, Senior Counsel](#) and [Mr Nicholas Peacock – Partner, Herbert Smith LLP](#)

- recent developments in the use of arbitration in commercial disputes in India
- recent legislative changes in India with regard to arbitration
- enforceability of international arbitral awards in India
- future of international arbitration in India – “progress or hurdles”?

TEA BREAK (2.50pm – 3pm)

Developments in Arbitration in Asia Pacific – A Regional Perspective (3pm – 3.40pm)

... by [Mr Nish Shetty - Partner, Clifford Chance LLP](#)

- the Landscape and Future of International Arbitration in Asia Pacific
- Regional Round-Up: An update on the recent developments in international arbitration in the region – focus on the “twin cities of international arbitration” - Singapore and Hong Kong as well as some other countries like Malaysia, Indonesia and Thailand.
- Where does India stand in the international arbitration arena and what needs to be done for it to progress as a seat of arbitration in the region.

The Business Case for Mediation (3.40pm – 4.25pm)

... by [Mr Lalit Bhasin – Partner, Bhasin & Co;](#) and [Mr Jonathan Leach – Partner, Hogan Lovells](#)

- The business value of using mediation for the settlement of commercial disputes
- what is the added value of considering mediation as one dispute resolution mechanism for the solution of business disputes
- factors and criteria to consider when choosing to go to mediation
- which mediation clause to chose
- how to propose mediation without a clause in the contract

Closing Remarks (4.25pm – 4.30pm)

... by [ICC India representative;](#) and [Mr Jason Fry, Secretary General, ICC International Court of Arbitration](#)

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