



Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados

Dansk Forening  
for Voldgift



# Copenhagen

Friday, April 8, 2011



## Current Hot Topics in International Arbitration

Seminar organised by the UIA in co-operation with the Danish Arbitration Association

# Introduction

The UIA is proud to present a seminar on current issues in international arbitration with the Danish Arbitration Association, the Danish Arbitration Institute, the Association of Danish Law Firms and the Danish Bar and Law Society in Copenhagen, providing an occasion to combine an exciting discussion of international arbitration with a visit to one of the world's loveliest cities.

International arbitration is constantly evolving and this seminar aims to help practitioners and users of arbitration alike to consider several recent developments that could have far-reaching effects on the way in which arbitration is practised.

The seminar will be divided into four sessions. The first will deal with the question of enforcement. It is a truism that an arbitral award is more easily enforceable in a country other than the place where the award was made than a judgment of a state court because of the provisions of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958. There has been much debate as to whether the New York Convention needs amendment (or even replacement) and the case of *Dallah v Pakistan* in the United Kingdom Supreme Court was a source of considerable controversy about the role of the court of the country where enforcement of a foreign arbitral award is sought. How far can the enforcement court reopen the findings of the arbitral tribunal? How far should it defer to the tribunal's findings? How can a party that unsuccessfully challenged the jurisdiction of the arbitral tribunal do so again before the enforcement court?

The second and third sessions will deal with different ways in which the European Union has an effect on arbitration. All lawyers practising in the EU will know of the all-pervasive effect of EU law on every aspect of legal life. Arbitration is no exception and sessions 2 and 3 will examine two topical aspects of this influence and where it could lead.

Session 2 will deal with the very important topic of arbitration under investment treaties. There are two themes to be discussed

here. First, the European Union is seeking to stop claims being brought under investment treaties between member states of the EU. This would mean that any claim by an investor based in one member state would have to bring its grievances before the local courts of the state against which it complains. Is this fair to investors? On the other hand, is it right that investment-protection treaties exist between fellow members of the EU? Secondly, the second session will deal with the new competence in foreign direct investment given to the European Union by the Treaty of Lisbon. Pursuant to this new competence, the EU proposes to replace investment-protection treaties between EU member states and third countries with its own, EU-wide, treaties, with an interim period in which the existing treaties will remain in place. Will this provide adequate protection to EU-based investors who invest in third countries? Will those third countries accept the abrogation of their treaties with individual member states and agree to renegotiate new ones with the EU?

Session 3 deals with the often vexed relationship between Council Regulation (EC) No 44/2001 on the recognition and enforcement of judgments in civil and commercial matters (the Brussels I Regulation) and international arbitration. The Commission has published a proposal to review the Brussels I Regulation including the arbitration exclusion. This could have very far-reaching effects on the way in which arbitration is carried out in the EU and its attractiveness as a seat for international arbitrations. The decision of the European Court of Justice in *West Tankers* forms the backdrop for this fascinating debate.

The fourth session will focus on Scandinavia and the considerable contribution its constituent countries have made to the development of international arbitration. We have practitioners from Denmark, Sweden and Finland to discuss this topic and the central role played by the Scandinavian jurisdictions in international arbitration.

After each session there will be an ample opportunity for questions and discussion between members of the audience and the panellists. There will be plenty of scope for provocative and stimulating debate.



Thursday, April 7

19:00

## WELCOME COCKTAIL

Hosted by the Danish Bar and Law Society, the Association of Danish Law Firms, the Danish Institute of Arbitration and the Danish Arbitration Association.

Address :

“Advokatsamfundet”

Kronprinsessegade 28

Copenhagen



Friday, April 8

**08:30 - 09:15**

**REGISTRATION OF PARTICIPANTS**

Hotel Radisson Blu Royal  
Hammerichsgade 1  
Copenhagen

**09:15 - 09:30**

► **WELCOME AND OPENING OF THE SEMINAR**

**Jeppe SKADHAUGE**, *Chairman, Danish Arbitration Association, Bruun & Hjejle, Copenhagen, Denmark*  
**Pascal MAURER**, *UIA President, Keppeler & Associés, Geneva, Switzerland*

**09:30 - 11:00**

► **Session 1: Whither the Duties of the Enforcement Court under the New York Convention after *Dallah v Pakistan*?**

Moderator: **Xavier FAVRE-BULLE**, *Lenz & Staehelin, Geneva, Switzerland*  
**Laurence KIFFER**, *Teynier, Pic & Associés, Paris, France*  
**Félix MONTERO**, *Pérez-Llorca, Madrid, Spain*  
**Jan Schans CHRISTENSEN**, *Copenhagen University, Copenhagen, Denmark*

**11:00 - 11:30**

**COFFEE BREAK**

**11:30 - 13:00**

► **Session 2: What Future for Intra-EU Bilateral Investment Treaties and will the Draft Regulation on Extra-EU Bilateral Investment Treaties Adequately protect European Investors?**

Moderator: **Peter TURNER**, *Freshfields Bruckhaus Deringer LLP, Paris, France*  
**Ole SPIERMANN**, *Bruun & Hjejle, Copenhagen, Denmark*  
**Veijo HEISKANEN**, *Lalive, Geneva, Switzerland*  
**Graham COOP**, *General Counsel, Energy Charter Treaty Secretariat, Brussels, Belgium*

**13:00 - 14:30**

**LUNCH**

**14:30 - 16:00**

► **Session 3: Arbitration and the Brussels Regulation**

Moderator: **Torsten LÖRCHER**, *CMS Hasche Sigle, Cologne, Germany*

**Klaus REICHERT**, *SC, Barrister, Dublin, Ireland*

**Patricia Ann PETERSON**, *Linklaters LLP, Paris, France*

**Andrea CARLEVARIS**, *Bonelli Erede Pappalardo, Rome, Italy*

**16:00 - 16:30**

**COFFEE BREAK**

**16:30 - 18:00**

► **Session 4: Scandinavia's Contribution to International Arbitration**

Moderator: **Jesper LETT**, *Chairman, Danish Arbitration Institute, Lett Law Firm, Copenhagen, Denmark*  
**Bo NILSSON**, *Advokatfirman Lindahl KB, Stockholm, Sweden*  
**Patrik LINDFORS**, *Lindfors & Co., Helsinki, Finland*  
**Peter WENGLER-JØRGENSEN**, *Plesner, Copenhagen, Denmark*

**20:00**

**OPTIONAL DINNER**

Sankt Gertruds Kloster  
Hauserplads 32  
1127 Copenhagen

## Organising Committee

**Peter TURNER**

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# General Information

## VENUE OF THE SEMINAR

Hotel Radisson Blu Royal  
Hammerichsgade 1  
Copenhagen

## REGISTRATION FEES

	UIA Members / Members of the Danish Arbitration Association		Non Members	
	≤ 08.03.2011	> 09.03.2011	≤ 08.03.2011	> 09.03.2011
Standard Registrations	300 €	350 €	350 €	400 €
Young Lawyers (<35)*	250 €	300 €	300 €	350 €

\* Please attach proof of age to the registration form to benefit from young lawyers fee.

These fees cover participation in the seminar, coffee breaks, lunch on Friday, April 8, 2011, as well as the documentation of the seminar. The dinner on Friday night, April 8, is optional and at additional charge. Please note that the number of places at the seminar is limited. The organisers reserve the right to refuse registrations in the event of excess applications.

## VISAS

Any person, who would like to receive a visa invitation letter to attend the seminar, should register and pay their registration fees during the early bird rate to ensure there is enough time to obtain a visa. Only then it will be possible to benefit from a reimbursement if the visa is refused.\* - \*\*

Should we only receive your registration after the early bird deadline, only 50% of the registration fees will be reimbursed. Should your visa be issued after the seminar date, you will not be reimbursed.

\* 100% refund of the amount paid minus € 50 (administrative costs).

\*\* We need to receive proof of refusal before we proceed with the reimbursement.

## CONTINUING LEGAL EDUCATION

Every participant attending the seminar will receive a "Certificate of Participation" at the end of the event, that may be used for obtaining "Credits" for "Continuing Legal Education" - "Continuing Professional Development" purposes, depending on national rules. For more information, please contact the UIA Paris office.

## LANGUAGES

The working language will be English. There will be no simultaneous translation.

## HOTEL ROOM RESERVATION

A limited number of rooms have been pre-booked at a preferential rate. Reservations should be made directly through the hotel. Credit card details must be given in order to secure your reservation. Please note that room numbers are limited, we recommend that you proceed with your reservations as soon as possible.

Hotels	Rates	
<b>Hotel Radisson Blu Royal (5*)</b> Hammerichsgade 1 Copenhagen, Denmark T +45 38 15 65 30 F +45 38 15 65 01 E copenhagen@radissonblu.com	Standard Single Room	1395 DKK
	Compact Single Room	1095 DKK
	Standard Double Room	1595 DKK
	<b>Breakfast and taxes included</b> Please download the hotel reservation form from our website: <a href="http://www.uianet.org">www.uianet.org</a>	
<b>Copenhagen Plaza Hotel (4*)</b> Bernstorffsgade 4 Copenhagen, Denmark T +45 33 14 92 62 F +45 33 93 93 62 E copenhagenplaza@profilhotels.dk	Single Room	1095 DKK
	Double Room	1295 DKK
	<b>Breakfast and taxes included</b> Please download the hotel reservation form from our website: <a href="http://www.uianet.org">www.uianet.org</a>	

## SPONSORS

ADVOKAT SAMFUNDET

Dansk Forening for Voldgift

DANSKE ADVOKATER

VOLDGIFTSINSTITUTTET  
THE DANISH INSTITUTE OF ARBITRATION

## NOTE

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel



# Copenhagen

## Current Hot Topics in International Arbitration

### FRIDAY, APRIL 8, 2011

#### DENMARK

#### REGISTRATION FORM

Register online at:

**www.uianet.org**

Please complete and return this form **before March 25, 2011**, by fax, post or email, to:

**UNION INTERNATIONALE DES AVOCATS**

**25, rue du Jour 75001 Paris, France ♦ Tel: +33 1 44 88 55 66 ♦ Fax: +33 1 44 88 55 77 ♦ Email: uiacentre@uianet.org**

#### UIA INDIVIDUAL MEMBERS

*Please specify your membership number (Please check your membership card or membership fees):*

**MI** \_\_\_\_\_

Family Name : .....

First Name : .....

Firm : .....

Address : .....

Post Code : ..... City : .....

Country : .....

Tel : ..... Fax : .....

E-mail : .....

Date of Birth : .....

#### A. SEMINAR REGISTRATION FEES

	UIA Members / Members of the Danish Arbitration Association		Non Members	
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Standard Registrations	<b>300 €</b>	<b>350 €</b>	<b>350 €</b>	<b>400 €</b>
Young Lawyers (<35)*	<b>250 €</b>	<b>300 €</b>	<b>300 €</b>	<b>350 €</b>

\* Please attach copy of your proof of age to the registration form to benefit from young lawyers fee.

## B. SEMINAR SOCIAL ACTIVITY

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Please indicate below whether you plan to attend the following event, included in the cost of your registration.

Welcome Cocktail – Thursday, April 7

Lunch – Friday, April 8

## C. OPTIONAL ACTIVITY

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*(not included in the registration fees)*

Optional Dinner – Friday, April 8

♦ Please book ..... person(s) for the dinner on Friday, April 8

75 € x \_\_\_ pers

## D. TOTAL

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TOTAL (A) Registration Fees €.....

TOTAL (C) Optional Activity €.....

TOTAL (A+C) €.....

Date: ...../...../.....

Signature :.....

## E. METHOD OF PAYMENT

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♦ By cheque in € payable to the UIA, addressed to: UIA - 25 rue du Jour - 75001 Paris – France

♦ By bank transfer in € without charges to the payee, payable to the Union Internationale des Avocats account and quoting “2011 Copenhagen Seminar”

**Société Générale – 8 avenue du Président Wilson - 75116 Paris – France.**

**Bank Code: 30003**

**Sort Code: 03170**

**Account N°: 00050320729 - RIB: 06**

**Swift N°: SOGEFRPP**

**IBAN: FR76 3000 3031 7000 0503 2072 906**

♦ By credit card :

Visa

Eurocard / Mastercard

Card N° : \_ \_ \_ \_ \_

Expiry date: \_\_ / \_\_

Name of card holder: .....

I authorise the Union Internationale des Avocats to debit the above mentioned credit card in the amount of: € (EURO).....

Date: ...../...../.....

Signature: .....

## F. CANCELLATION CONDITIONS

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In case of cancellation received at the UIA before March 8, 2011; 50% refund of the amount paid minus € 50 (administrative costs).

No refund thereafter.