

A conference presented by the IBA Arbitration Committee



the global voice of the legal profession®

# 22nd Annual IBA Arbitration Day

## Beyond the governing law: mandatory rules, lois de police, trade sanctions and other conflicts of law



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14–15 March 2019

Fairmont The Queen Elizabeth, Montréal, Québec, Canada

### Topics include:

- Mandatory rules and *lois de police* (eg, impact of a criminal investigation)
- International trade sanctions
- Criticisms of the investment treaty system
- Data protection, privacy, confidentiality and cybersecurity



### Headline conference sponsors



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## Young Practitioners' Symposium Privilege in Arbitration and other Hot Topics

A symposium co-presented by the Arb40 Subcommittee of the IBA Arbitration Committee, Young International Arbitration Group (YIAG) and the Young Canadian Arbitration Practitioners (YCAP)

# Programme

## Conference Co-Chairs

Julie Bédard *Skadden Arps Slate Meagher & Flom, New York; Co-Chair, IBA Arbitration Committee*  
Eduardo Silva Romero *Dechert, Paris*

## Organising Committee Chair

Pierre Bienvenu Ad. E. *Norton Rose Fulbright, Montréal, Québec; Member, IBA Arbitration Committee Advisory Board*

## Organising Committee

Kate Brown de Vejar *Curtis Mallet-Prevost Colt & Mosle, Mexico City*  
Daniel Busse *Allen & Overy, Frankfurt*  
Andrew de Lotbinière McDougall *White & Case, Paris*  
Valeria Galindez *Valença Galindez Arbitragem, São Paulo; Vice Chair, IBA Arbitration Committee*  
Professor Fabien Gélinas *Sir William C Macdonald Chair, McGill University, Montréal, Québec*  
Sae Youn Kim *Yulchon, Seoul; Co-Chair, Asia Pacific Arbitration Group, IBA Arbitration Committee*  
Wendy Miles QC *Debevoise & Plimpton, London*  
Felipe Ossa *Claro y Cia, Santiago*  
John Pierce *Wilmer Cutler Pickering Hale and Dorr, New York*  
Noradele Radjai *Lalive, Geneva; Co-Chair, Arb40 Subcommittee, IBA Arbitration Committee*  
Marie-Claude Rigaud *Université de Montréal, Montréal, Québec*  
John Terry *Torys, Toronto, Ontario*  
Gaëtan Verhoosel *Three Crowns, London; Co-Chair, IBA Arbitration Committee*

## Host Committee

Appleton & Associates  
Arbitration Place  
Baker McKenzie  
Bay Street Chambers  
BCF  
Bennett Jones  
Borden Ladner Gervais  
Burnet Duckworth Palmer  
Davies Ward Phillips & Vineberg  
Dentons  
Fasken Martineau DuMoulin  
Goodmans  
Gowling WLG  
IMK  
Langlois  
Lax O'Sullivan Lisus Gottlieb  
McCarthy Tétrault  
McMillan  
Norton Rose Fulbright  
Osler Hoskin & Harcourt  
Perley-Robertson Hill & McDougall  
Stikeman Elliott  
Torys  
Vancouver Arbitration Chambers  
Woods

## Thursday 14 March

### 1900 – 2230 **Welcome Reception**

*Versailles Ballroom*

*Le Windsor Ballrooms, 1170 Rue Peel, Suite 110*

Originally constructed in 1878, Le Windsor Ballrooms (then known as Windsor Hotel) was considered to be one of the most luxurious and impressive hotels in Montréal. The hotel housed royal visits from King George VI and Queen Elizabeth in 1939, as well as Winston Churchill, Charles de Gaulle and John F Kennedy. The hotel was renovated in 1985 following a devastating fire and became Le Windsor.

The French Renaissance style Salon Versailles has been a unique venue for special events since the nineties and is a perfect backdrop to enjoy an evening of networking with fellow delegates.

The reception is open to all registered delegates. Please indicate your attendance on the conference registration form or when registering online

### Headline social event sponsors



Skadden

### Associate conference sponsor



0730 – 1800 **Registration**

0750 – 0900

## **IBA Mediation Committee panel and breakfast**

*Fairmont The Queen Elizabeth, Montréal, Québec*

### **Resolution of cross-border disputes: arbitration vs mediation**

Topics include:

- the growing (and new) challenges of international arbitration vs international mediation in dealing with commercial disputes
- investor state disputes
- public interest disputes

*Moderators*

**Gary Birnberg** *JAMS, Miami, Florida; Senior Vice Chair, IBA Mediation Committee*

**Jalal El Ahdab** *Bird & Bird, Paris*

**Tat Lim** *Aequitas Law, Singapore; Co-Chair, IBA Mediation Committee*

Ticket price is US\$47. Entry is by ticket only, please indicate your attendance when registering online or via hard copy registration form.

0900 – 0915 **Opening remarks**

**Julie Bédard** *Skadden Arps Slate Meagher & Flom, New York; Co-Chair, IBA Arbitration Committee*

0915 – 1045

### **Mandatory rules and *lois de police***

- May arbitrators ignore the governing law of a contract in favour of mandatory rules or *lois de police*?
- What is the impact of a criminal or regulatory investigation on an arbitration proceeding?
- What should arbitrators do in the face of allegations that the contract sought to be enforced is illegal and therefore null and void?
- What standard of proof should arbitrators apply to allegations of corruption?
- Are sham arbitrations a myth?

*Moderator*

**Pierre Bienvenu Ad. E.** *Norton Rose Fulbright, Montréal, Québec; Member, IBA Arbitration Committee Advisory Board*

*Speakers*

**George Bermann** *Jean Monnet Professor of EU Law and Walter Gellhorn Professor of Law; Director, Center for International Commercial and Investment Arbitration, Columbia Law School, New York*

**Carole Malinvaud** *Gide Loyrette Nouel AARPI, Paris*

**Caline Mouawad** *King & Spalding, New York*

**Constantine Partasides QC** *Three Crowns, London*

1045 – 1115 **Coffee/tea break**

1115 – 1245

### **Trade sanctions**

- Should arbitrators refuse to enforce contracts that are subject to international sanctions?
- Is a party excused from performance on the grounds of force majeure?
- How should arbitrators address allegations of unjust enrichment?

*Moderator*

**Caroline Richard** *Freshfields Bruckhaus Deringer, Washington DC*

*Speakers*

**Juan Fernández-Armesto** *Armesto & Asociados Arbitraje, Madrid*

**Sungjean Seo** *Kim & Chang, Seoul;*

**Paul Friedland** *White & Case, New York; Member, IBA Arbitration Committee Advisory Board*

**Hamid Gharavi** *Derains Gharavi & Lazareff, Paris*

1245 – 1415 **Lunch**

*Keynote speech*

**Ian Binnie QC** *Lenczner Slaght Royce Smith Griffin, Toronto, Ontario*



## Exhibitors



# Friday continued

1415 – 1545

## NAFTA/USMCA and other trade agreements

- Given the criticisms of investment treaties and investment chapters in bilateral and multilateral trade agreements, are we seeing the beginning of the end?
- Can investors protect themselves against the risk of erosion of treaty protections by providing for corresponding protections in their investment contracts?
- How should arbitrators deal with parallel claims under contracts and treaties?

*Moderator*

**Guido Tawil** *Independent Arbitrator, Buenos Aires*

*Speakers*

**Beth Baltzan** *Founder, American Phoenix Trade Advisory Services, Washington DC*

**Stephen Drymer** *Woods, Montréal, Québec*

**Jean Kalicki** *Kalicki Arbitration, New York/ Washington DC*

**Meg Kinnear** *Secretary-General, International Centre for Settlement of Investment Disputes, Washington DC*

1545 – 1615 **Coffee/tea break**

1615 – 1745

## Data protection, privacy, confidentiality and cybersecurity

- What does the new European regulation on data protection mean for international arbitration?
- What are the mandatory protections of privacy that must be taken into account?
- What law governs confidentiality in international arbitration?
- Is cybersecurity a matter of concern for arbitrators and arbitration counsel?

*Moderator*

**Alexis Mourre** *President, ICC International Court of Arbitration, Paris*

*Speakers*

**Catherine Amirfar** *Debevoise & Plimpton, New York*

**John Fellas** *Hughes Hubbard & Reed, New York*

**Jose Ricardo Feris** *Squire Patton Boggs, Paris; Membership Officer, IBA Arbitration Committee*

1745 – 1800 **Closing remarks**

**Gaëtan Verhoosel** *Three Crowns, London; Co-Chair, IBA Arbitration Committee*

1800 – 1930 **Closing reception**

*Fairmont The Queen Elizabeth*

The reception is open to all registered delegates.

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

## Continuing Professional Development/Continuing Legal Education

\*The number of CPD/CLE hours available may vary depending on the rules applied by the members' bar association/law society on time recording criteria.

For conference delegates from jurisdictions where CPD/CLE is mandatory, the IBA will provide a Certificate of Attendance for the conference. Subject to CPD/CLE requirements, this can be used by conference delegates to obtain the relevant number of hours' accreditation.

A CPD/CLE Certificate of Attendance is available to conference delegates on request. Please ask at the IBA conference registration desk for information on how to obtain the certificate.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).

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7–8 FEBRUARY 2019 WESTIN PARIS, PARIS, FRANCE  
7th IBA European Corporate & Private M&A Conference

18–19 FEBRUARY SHUTTERS ON THE BEACH, SANTA MONICA, CALIFORNIA, USA  
4th Silicon Beach Conference

27 FEBRUARY 2019 TOKYO, JAPAN  
The Fundamentals of International Legal Business Practice

27 FEBRUARY – 1 MARCH 2019 HOTEL NEW OTANI, TOKYO, JAPAN  
6th Asia Pacific Regional Forum Biennial Conference

4–5 MARCH 2019 CLARIDGE'S, LONDON, ENGLAND  
24th International Private Client Conference

6–7 MARCH 2019 THE NED, 27 POULTRY, LONDON, ENGLAND  
IBA Corporate Group Member Summit

10–12 MARCH 2019 INTERCONTINENTAL, LONDON, ENGLAND  
20th Annual International Conference on Private Investment Funds

14–15 MARCH 2019 FAIRMONT THE QUEEN ELIZABETH, MONTREAL, CANADA  
22nd Annual International Arbitration Day

20–22 MARCH 2019 W SANTIAGO HOTEL, SANTIAGO, CHILE  
Mergers and Acquisitions in Latin America: Challenges and Best Practices in the Era of Compliance

21–22 MARCH 2019 THE LANDMARK HOTEL, LONDON, ENGLAND  
Insurance – A guide to a changing legal landscape

27–29 MARCH 2019 FAIRMONT, DUBAI, UAE  
11th Annual Real Estate Investment Conference

28–29 MARCH 2019 EUROSTAR GRAND MARINA, BARCELONA, SPAIN  
4th Mergers and Acquisitions in the Technology Sector Conference

3–5 APRIL 2019 WESTIN PARIS, PARIS, FRANCE  
IBA Annual Employment and Discrimination Law Conference

10–12 APRIL 2019 SHERATON GRAND HOTEL RESORT, RIO DE JANEIRO, BRAZIL  
RMLF/IBA International Mining and Oil & Gas Law

13 APRIL 2019 THE HAGUE, THE NETHERLANDS  
The Next Big Questions for International Criminal Justice

29–30 APRIL 2019 HOTEL PRINCIPE DI SAVOIA, MILAN, ITALY  
30th Annual IBA Communications and Competition Conference

7–8 MAY 2019 JW MARRIOTT, WASHINGTON DC, USA  
35th Annual IBA/IFA Joint Conference on International Franchising

8–10 MAY 2019 RITZ CARLTON, BERLIN, GERMANY  
IBA Annual Litigation Forum: Disruption in Litigation – new types of disputes in a new world order

15–17 MAY 2019 ADLON KEMPINSKI, BERLIN, GERMANY  
36th IBA International Financial Law Conference

15–17 MAY 2019 BUENOS AIRES, ARGENTINA  
22nd Annual IBA Transnational Crime Conference

19–21 MAY 2019 CONRAD, NEW YORK, USA  
30th Annual Conference on the Globalisation of Investment Funds

19–21 MAY 2019 SAO PAULO, BRAZIL  
25th Global Insolvency and Restructuring Conference

20–21 MAY 2019 ODD FELLOWS MANSION, COPENHAGEN, DENMARK  
5th IBA Global Entrepreneurship Conference: The Nordic model – rising up to the global challenge

21–22 MAY 2019 GRAND HOTEL, OSLO, NORWAY  
Maritime and Transport Law Conference: Opportunities and Risks in Shipping in 2019

22–23 MAY 2019 CORINTHIA, BUDAPEST, HUNGARY  
14th Annual Bar Leaders' Conference

31 MAY – 1 JUNE 2019 PHILADELPHIA, USA  
7th Annual World Life Sciences Conference

4–5 JUNE 2019 THE PLAZA, NEW YORK, USA  
18th Annual International Mergers & Acquisitions Conference

6–7 JUNE 2019 IMPERIAL HOTEL, TOKYO, JAPAN  
15th Annual IBA Competition Mid-Year Conference

13 JUNE 2019 LONDON, ENGLAND  
2nd European Fashion and Luxury Conference

25–26 JUNE 2019 OECD, PARIS, FRANCE  
17th Annual IBA Anti-Corruption Conference

6–7 SEPTEMBER 2019 FLORENCE, ITALY  
23rd Annual Competition Conference

21 SEPTEMBER 2019 SEOUL, SOUTH KOREA  
Fundamentals of International Legal Business Practice: IBA Young Lawyers' Training

22–27 SEPTEMBER 2019 COEX CONVENTION & EXHIBITION CENTER, SEOUL, SOUTH KOREA  
IBA Annual Conference 2019



30 OCTOBER – 1 NOVEMBER 2019 GRANGE ST PAUL'S HOTEL, LONDON, ENGLAND  
9th Biennial Global Immigration Conference

7–8 NOVEMBER 2019 SÃO PAULO, BRAZIL  
IBA Latin American Entrepreneurship Conference

# Information

## Date

14–15 March 2019

## Venue

Fairmont The Queen Elizabeth  
900 René-Lévesque Blvd W  
Montréal  
Québec  
Canada H3B 4A5  
Tel: +1 514 861 3511  
Email: [queenelizabeth.hotel@fairmont.com](mailto:queenelizabeth.hotel@fairmont.com)

## Fees

*Online registrations received:*

	on or before 1 February	until 4 March
IBA member	US \$690	US \$800
Non-member *	US \$855	US \$970
Young lawyers (under 30 years)	US \$520	US \$970
Academics/judges (full-time)	US \$520	US \$970
Public lawyers	US \$520	US \$970
Corporate counsel **	US \$620	US \$970

After **4 March** registrations must be received in hard copy at the IBA office.

*Hard copy registration forms and fees received:*

	on or before 1 February	after 1 February
IBA member	US \$765	US \$890
Non-member *	US \$950	US \$1075
Young lawyers (under 30 years)	US \$575	US \$1075
Academics/judges (full-time)	US \$575	US \$1075
Public Lawyers	US \$575	US \$1075
Corporate counsel **	US \$690	US \$1075

\* By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this Conference is held, which entitles you to the following benefits:

- 1) Password access to certain parts of the IBA website.
- 2) Receipt of IBA E-news and access to online versions of IBA *Global Insight*.
- 3) Pay the member rate for any subsequent conference registrations for this calendar year.

\*\* A reduced rate is offered to IBA Corporate Group Members. Please register online to obtain a 25 per cent discount on the IBA Member fee.

If you would like to become a full or general member of the IBA, which includes membership of one committee or more – and inclusion in and access to our membership directory – we encourage you to do so now in order to register for this Conference at the member rate. You can find full details of how to join at [www.ibanet.org](http://www.ibanet.org).

A reduced rate is offered to lawyers who are over the age of 65, have been an IBA member for more than 20 years and are no longer practising law.

**Full payment must be received in order to obtain your Conference documentation.**

## Language

All working sessions and Conference materials will be in English.

## How to register

Register online by 4 March 2019 at [www.ibanet.org/conferences/conf919.aspx](http://www.ibanet.org/conferences/conf919.aspx) and make payment by credit card to avail of the ten per cent online registration discount or complete the attached registration form and return it to the Conference Department at the IBA together with your bank transfer/cheque payment. You should receive an email confirmation of your registration within five days; if you do not, please contact [confs@int-bar.org](mailto:confs@int-bar.org).

## Fees include:

- Attendance at all working sessions
- Conference materials, including any available speakers' papers submitted to the IBA before 7 March
- Access to the above Conference working materials from the IBA website ([www.ibanet.org](http://www.ibanet.org)) approximately seven days prior to the Conference
- Access to mobile delegate search application
- Lunch on Friday
- Tea and coffee during breaks
- Invitation to welcome reception on 14 March
- Invitation to closing reception on 15 March

Please note that registrations are not transferable.

## List of participants

In order for your name to appear in the list of participants, which will be distributed at the Conference, your registration form must be received by 4 March 2019 at the latest.

## Mobile delegate search application

All registered delegates will receive a printed list of participants at the Conference; however, delegates are now also able to use the mobile delegate search. This application has been developed to aid networking by giving delegates instant access to an up-to-date list of their fellow attendees, and comes with the added benefit of a built-in messaging service. All registered delegates with an internet or Wi-Fi-enabled device will have access, using their IBA username and password. Simply visit: [m.ibanet.org/conf919](http://m.ibanet.org/conf919)

## Registration confirmation

All documentation regarding your attendance at the Conference can now be obtained from the IBA website. Upon receipt of your payment for the Conference a confirmation email will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.

## Photography and filming

Certain sessions and/or social functions may be photographed and/or filmed and some of this content may be used for future IBA marketing materials, member communications, products or services. Should you have any concerns with regard to this, or do not wish to be featured in any of these materials please contact the IBA Marketing Department at [ibamarketing@int-bar.org](mailto:ibamarketing@int-bar.org).

## Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the Conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the IBA Sponsorship Department at [sponsorship@int-bar.org](mailto:sponsorship@int-bar.org).

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## Payment of registration fees

**US dollars:** by cheque converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

**OR** by bank transfer to the IBA account at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.

SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Pounds sterling:** by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

**OR** by bank transfer to the IBA account number: 13270222 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.

SWIFT address NWBKGB2L, IBAN GB05NWBK56000313270222

Please ensure that a copy of the bank transfer details is attached to your registration form.

**Use the exchange rate prevailing at the time of registration.**

**Euro:** by cheque or bank draft, drawn on a euro zone bank and converted at the current rate of exchange and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

**OR** by bank transfer to the IBA account at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.

SWIFT address NWBKGB2L, IBAN GB58NWBK60721106570631

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Use the exchange rate prevailing at the time of registration.**

**Online credit card payments:** by Visa, MasterCard or American Express. No other cards are accepted.

**PLEASE ENSURE THAT YOUR NAME AND 'CON919MONTREAL' APPEAR ON ANY TRANSFER OR DRAFT.**

## No deductions or withholdings

All fees payable to us by you in accordance with the terms contained in this 'Information' section shall be paid free and clear of all deductions or withholdings whatsoever.

If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this 'Information' section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

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## Hotel accommodation

A limited number of rooms have been reserved at the Fairmont The Queen Elizabeth for the nights of 14–15 March inclusive:

Fairmont The Queen Elizabeth  
900 René-Lévesque Blvd W  
Montréal  
Québec  
Canada H3B 4A5  
Tel: +1 800 441 1414  
Email: queenelizabeth.hotel@fairmont.com

The following rates are per room, per night and exclusive of buffet breakfast, service charges and local taxes.

Single room:       CDN \$239  
Double room:      CDN \$279

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have been had no such deductions or withholdings been required.

## Conference sell-outs

The IBA places its conferences in venues of a suitable size for each event; however, there are times when our conferences may sell out. Should this happen, prospective delegates will be informed and a waiting list will operate. The waiting list will function on a 'first come, first served' basis, subject to receiving registered delegate cancellations. The IBA will not be liable for any travel or accommodation expenses incurred by an individual who travels to a conference without a confirmed place at the event.

## Cancellation of registration or social functions

If cancellation is received in writing at the IBA office by 15 February 2019 fees will be refunded less a 25 per cent administration charge. Refunds will be made minus any monies owed to the IBA.

We regret that no refunds can be made after this date. Registrations or social function bookings received after 15 February 2019 will not be eligible for any refund of fees. Please note that **NO** exception will be made to this policy. Should you have difficulties in obtaining your visa and are not able to attend the Conference this cancellation policy will still apply.

Upon submission of your completed Conference registration form to the IBA you are considered 'registered' pending payment. Please note that the cancellation terms and conditions as indicated will apply as soon as your registration is received.

Provided you have cancelled your registration to attend an IBA conference in accordance with the terms of the 'cancellation of registration' clause included in the 'Information' section of the relevant conference programme, you must then confirm to us in writing at the IBA office as soon as possible, but in no event later than one year (12 calendar months) from the date of any such conference, all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant conference.

## Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

**Please apply for your visa in good time.**

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Please use the following hotel website link [tinyurl.com/IBAArbitDay](https://tinyurl.com/IBAArbitDay) to make your reservation. The hotel requires a credit card number to secure your reservation.

Alternatively please call the Reservations department on +1 800 441 1414 and quote the reservation block code: IBA20419.

## Cancellation and no-show policy

Please note that in the event of any cancellations or no-shows rooms will be charged to the individual guest's credit card given at the time of booking. Rooms can be cancelled 24 hours prior to arrival without incurring a charge.

Please note that any reservation made after 14 February 2019 will be subject to availability and cannot be guaranteed at the special IBA rate.

As a limited number of rooms have been blocked at the hotel, availability cannot be guaranteed once the room block is full.



Delegates are responsible for making accommodation reservations directly with the hotel and entering into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

#### Unauthorised accommodation agents

It has been brought to our attention that there are multiple companies contacting past attendees, claiming to represent the IBA, offering 'assistance' with registration and hotel bookings. They are operating by cold-calling and spamming companies whose

names have appeared on previous List of Participants, Programmes and Sponsorship recognition. The only Accommodation Agent the IBA works with is Judy Lane ICS. Judy Lane ICS do not contact delegates on behalf of the IBA without delegates making initial contact. Please ignore any communication that does not come directly from the IBA or Judy Lane ICS.

#### Disabled access

The Hotel is wheelchair accessible. Please notify us if you require special assistance.

### Social programme

#### Thursday 14 March

1900 – 2230 **Welcome Reception**

*Versailles Ballroom, Le Windsor Ballrooms,  
1170 Rue Peel, Suite 110*

Originally constructed in 1878, Le Windsor Ballrooms (then known as Windsor Hotel) was considered to be one of the most luxurious and impressive hotels in Montreal. The hotel housed royal visits from King George VI and Queen Elizabeth in 1939 as well as Winston Churchill, Charles de Gaulle and John F Kennedy. The hotel was renovated in 1985 following a devastating fire and became Le Windsor.

The French Renaissance style Salon Versailles has been a unique venue for special events since the nineties and is a perfect backdrop to enjoy an evening of networking with fellow delegates.

The reception is open to all registered delegates. Please indicate your attendance on the conference registration form or when registering online

#### Friday 15 March

1800 – 1930 **Closing reception**

*Fairmont The Queen Elizabeth*

The reception is open to all registered delegates.

# IBA App – additional functionality now added

– available from the App Store and the Google Play Store

The IBA App has been updated to become even more user friendly, providing you with the latest legal news, updates and content while on the move.

All new functionality is now available for the App in both the Apple Store and for the Android version in the Google Play Store.

#### New functionality:

- Access to IBA Digital Content – with new articles, stories and items of interest available and updated daily
- The ability to download PDFs and podcasts from the IBA Digital Content library to your mobile device

#### How do I access the App?

- Simply download the App (search for International Bar Association and download the IBA Members' Directory) via the Apple App Store or Google Play Store
- Login with your IBA membership user ID and password
- Search the full IBA Member Directory or update your My IBA profile



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**Don't let valuable contacts pass you by, update your profile today!**

# Registration form



## 22nd IBA Arbitration Day – Beyond the governing law: mandatory rules, lois de police, trade sanctions and other conflicts of law

14–15 March 2019, Fairmont The Queen Elizabeth, Montréal, Québec, Canada

Please read the 'Information' section before completing this form and return it together with your bank transfer or cheque to the Conference Department at the address overleaf.

REGISTER ONLINE AT [WWW.IBANET.ORG/CONFERENCES/CONF919.ASPX](http://WWW.IBANET.ORG/CONFERENCES/CONF919.ASPX) TO MAKE IMMEDIATE AND SECURE PAYMENT BY CREDIT CARD AND OBTAIN A 10 PER CENT DISCOUNT ON THE FEES BELOW

### PERSONAL DETAILS *(Please attach your business card or write in block capitals)*

Title \_\_\_\_\_ Given name \_\_\_\_\_ Family name \_\_\_\_\_

Name and country to be shown on badge *(if different from above)* \_\_\_\_\_

IBA Membership number *(if applicable)* \_\_\_\_\_ Date of birth \_\_\_\_\_

Firm/company/organisation \_\_\_\_\_

Address \_\_\_\_\_

Country \_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

### SPECIAL DIETARY REQUIREMENTS

If you have special dietary requirements, due to allergen intolerances, medical, religious reasons or a life choice, please specify the requirement below. The IBA is unable to cater for dietary requirements other than for the above reasons.

Please tick box if you have allergen intolerances and specify \_\_\_\_\_

Please state all other dietary requirements clearly, i.e. I am a vegetarian; I do not eat red meat.

*Disclosure of dietary information denotes you have agreed to the IBA sharing this information with relevant third parties who are providing catering on our behalf.*

TO OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW,  
PLEASE REGISTER BY **4 MARCH** ONLINE AT [WWW.IBANET.ORG/CONFERENCES/CONF919.ASPX](http://WWW.IBANET.ORG/CONFERENCES/CONF919.ASPX)  
IBA MEMBERS CAN REGISTER ONLINE BY **1 FEBRUARY** FOR **US\$690**,  
PLEASE SEE 'INFORMATION' FOR FURTHER ONLINE REGISTRATION DETAILS.

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### SOCIAL FUNCTIONS

Thursday 14 March, Welcome Reception  @ NIL NIL  
*One place per delegate is permitted.*

Friday 15 March, IBA Mediation Committee panel and breakfast  @ US\$47 US\$  
*One place per delegate is permitted.*

TOTAL AMOUNT PAYABLE US\$



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# Young Practitioners' Symposium

## Privilege in Arbitration and other Hot Topics

*A symposium co-presented by the Arb40 Subcommittee of the IBA Arbitration Committee, Young International Arbitration Group (YIAG) and the Young Canadian Arbitration Practitioners (YCAP)*

As part of its contribution to the development of arbitration best practices, the IBA Arbitration Committee organises symposia for the young members of the arbitration community in cooperation with young practitioners' groups, through its IBA Arb 40 Sub-committee (co-chaired by **Andre Abbud Barbosa Müssnich Aragão, São Paulo** and **Noradèle Radjai Lalive, Geneva**). This event is hosted by IBA Arb40, together with the Young International Arbitration Group (YIAG) and the Young Canadian Arbitration Practitioners (YCAP). The upper age limit for participation is 40 years old.

The cost of the symposium is US\$60 per person.

As there is a limited number of places at this symposium early registration is recommended.

### **Symposium venue**

Fairmont The Queen Elizabeth  
900 René-Lévesque Blvd W  
Montréal  
Québec  
Canada H3B 4A5  
Tel: +1 514 861 3511  
Website: [www.fairmont.com/queen-elizabeth-montreal/](http://www.fairmont.com/queen-elizabeth-montreal/)

## Thursday 14 March

1330 – 1630 **Registration**

1400 – 1405 **Welcome and introductions**

1405 – 1435 **Keynote speech**

1435 – 1605 **Working session A**

1605 – 1630 **Coffee/tea break**

1630 – 1800 **Working session B**

1800 – 1805 **Closing remarks**

1900 – 2230 **22nd Annual IBA Arbitration Day**

### **Opening Reception**

*Versailles Ballroom, Le Windsor Ballrooms, 1170 Rue Peel, Suite 110*

This reception is open to all delegates.

### **Registration for the symposium**

Register online by **7 March 2019** at [www.ibanet.org/conferences/conf986.aspx](http://www.ibanet.org/conferences/conf986.aspx) and make payment by credit card.

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# ***Too fast, too slow or just right? Duration, timing and timeliness in ICC arbitration***

***Montréal, Canada – 14 March 2019 (15.00 to 18.00)***

***This event is free of charge. Prior registration is required.***

**Venue:** Fairmont The Queen Elizabeth, 900 René-Lévesque Blvd. W, Montréal, Québec, Canada

**15:00 – 15:30**     **Registration and welcoming coffee**

**15:30 – 15:45**     **Welcoming remarks**

**Alexis Mourre**, President, ICC International Court of Arbitration (Paris)

**Tina Cicchetti**, Chair, ICC Canada Arbitration Committee; Independent Arbitrator (Vancouver)

**15:45 – 17:30**     **Roundtable Discussion**

- ICC Commission Report on Emergency Arbitrator Proceedings
- ICC Expedited Proceedings
- Summary disposition of claims and defences
- Timely rendering of ICC arbitral awards

Speakers:

**Julie Bédard**

Co-chair, IBA Arbitration Committee; Partner, Skadden, Arps, Slate, Meagher & Flom (New York and Sao Paulo)

**Pierre Bienvenu, Ad. E.**

Global Co-head of International Arbitration, Norton Rose Fulbright (Montréal)

**Samaa A.F. Haridi**

Partner, Hogan Lovells US LLP (New York)

**Ndanga Kamau**

International law practitioner & arbitrator (Nairobi)

**Fernando Mantilla-Serrano**, Global Co-Chair of the International Arbitration Practice, Latham & Watkins LLP (Paris)

Moderated by:

**Alexander G. Fessas**, Secretary General, ICC International Court of Arbitration (Paris)

**17:30 – 17:45**     **Q&A session**

**17:45 – 18:00**     **Conclusions and closing remarks**

**Marek Krasula**, Counsel, ICC International Court of Arbitration (New York)

## **Registration and inquiries**

To register, please go to <https://en.xing-events.com/WKDADAZ.html>

For more information, please contact [kristina.chang@iccwbo.org](mailto:kristina.chang@iccwbo.org)

**Organized by:**

# LCIA Symposium on International Commercial Arbitration

A one day symposium organised by the LCIA North American Users' Council

**16 March 2019**  
**Montréal, Canada**

## About

In the long established LCIA tradition, this symposium is designed to be interactive and to provide an opportunity for delegates to share news and views on developments in the field of international commercial arbitration and ADR.

On the day delegates will be invited to discuss topics submitted in advance, under the expert guidance of well-known Co-Chairs, and hear Panellists introduce current issues before the floor is open to discussion with the audience.

## Who should attend?

Arbitrators, in-house counsel, practitioners, academics and members of the local and international business community interested in, and affected by, current developments and best practice in the field of international arbitration.

## Time

9:00am to 5:00pm - Symposium  
6:00pm onwards - Reception & Dinner

## Venue

Symposium - Hôtel William Gray, Old Montréal  
Reception & Dinner - Montréal Museum of Archaeology and History

## Registration

To view the full programme and register please visit – [www.lcia.org](http://www.lcia.org)



# IBA 2019



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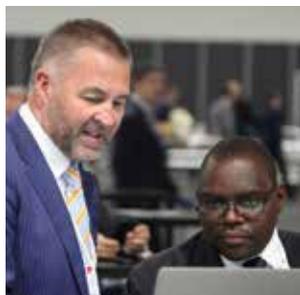


The 2019 Annual Conference will be held in Seoul, South Korea, a thriving metropolis where modern skyscrapers, high-tech subways and pop culture meet Buddhist temples, palaces and street markets.

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Seoul is developing as a design, fashion and technology centre, and breaking out as a key business hub. This technology forward, but deeply traditional city, will be an ideal location for the largest and most prestigious event for international lawyers, providing an abundance of business and networking opportunities.



## WHAT WILL IBA 2019 OFFER YOU?

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- Hear from leading international figures, including officials from the government and multilateral institutions, general counsel and experts from across all practice areas and continents
- Acquire a greater knowledge of the role of law in society through rule of law and human rights
- Be part of the debate on the future of the law



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The International Bar Association's Human Rights Institute (IBAHRI), an autonomous and financially independent entity established in 1995, works to promote and protect human rights and the independence of the legal profession worldwide. The IBAHRI undertakes training for lawyers and judges, capacity-building programmes with bar associations and law societies, and conducts high-level fact-finding missions and trial observations. The IBAHRI liaises closely with international and regional human rights organisations, producing news releases and publications to highlight issues of concern to worldwide media.

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To read more on IBAHRI activities, download the IBAHRI Annual Review 2017 at [tinyurl.com/IBAHRI-AnnualReview2017](http://tinyurl.com/IBAHRI-AnnualReview2017).



## IBAHRI 2017 HIGHLIGHTS IN NUMBERS:



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grant expenditure



12

legal consultants



missions undertaken

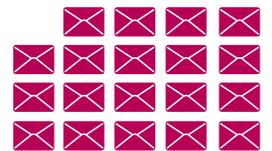


665

individuals trained

19

intervention letters



14  
countries



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# International Bar Association

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The International Bar Association (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations, law firms and law societies.

The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 individual lawyers and more than 190 bar associations and law societies spanning over 170 countries.

Inspired by the vision of the United Nations, the IBA was founded in the same spirit, just before the Universal Declaration of Human Rights was proclaimed in 1948.

The IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information, enabling them to better represent their clients' interests.

Through its various committees, fora and task forces, the IBA facilitates the exchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law around the globe.

## **IBA Arbitration Committee**

The IBA Arbitration Committee focuses on laws, practice and procedures relating to the arbitration of transnational disputes. Through its conferences, publications and projects, the Committee seeks to share information about international arbitration, promote its use and improve its effectiveness.

Additionally, the Committee works with the following committees to form the IBA Dispute Resolution Section:

- Consumer Litigation
- Litigation
- Mediation
- Negligence and Damages

## **Contact information**

### **International Bar Association**

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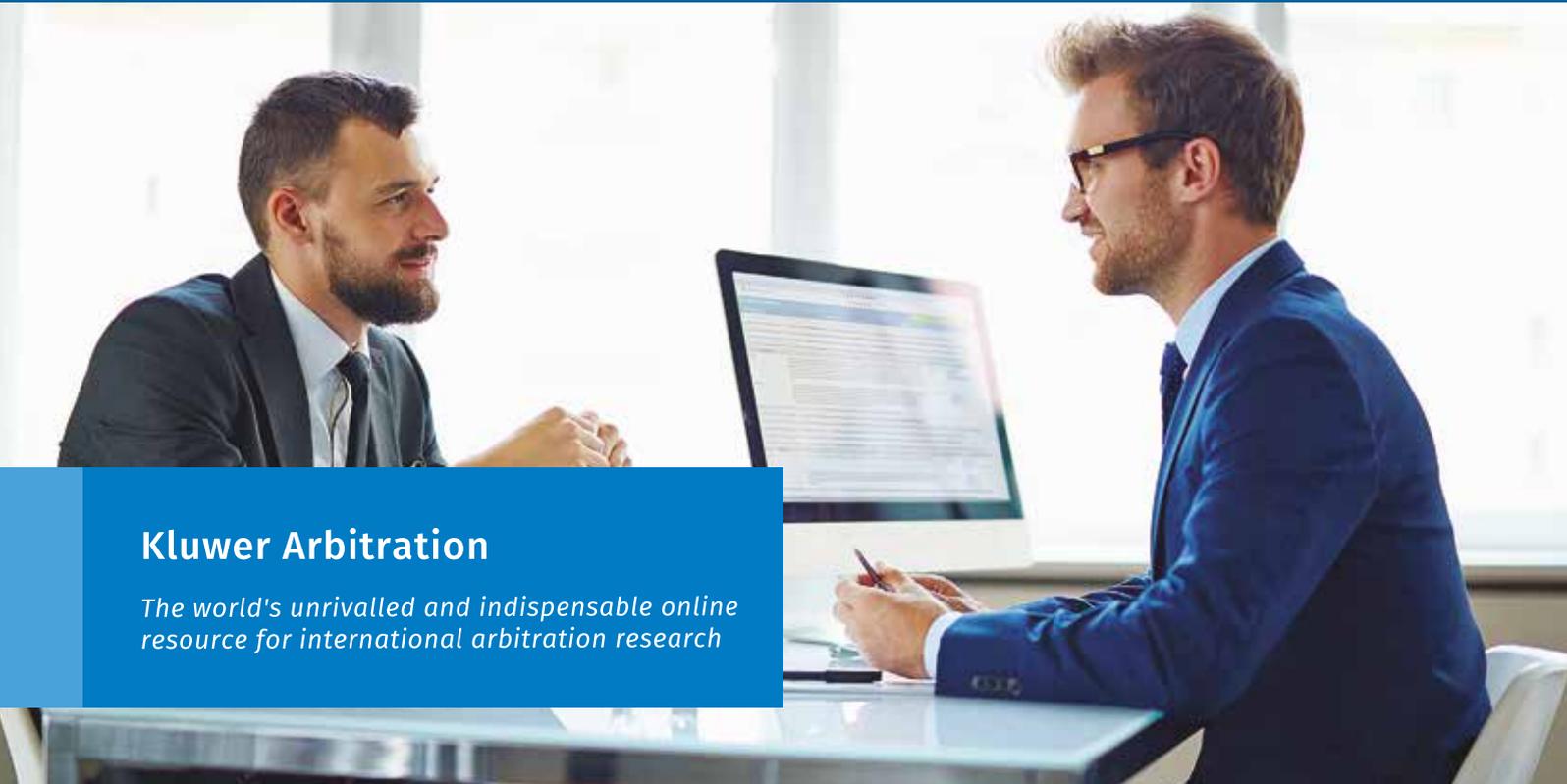
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