Association for International Arbitration
In Touch

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arbitration-adr.org

CONTACT US:
146, Avenue Louise
B-1050 Brussels
Belgium
Fax: +32 2 646 24 31
Tel: +32 2 643 33 01
Email:
administration@arbitration-adr.org

Inside this month's issue:

AIA Upcoming Events

The Association for International Arbitration is proud to invite you to its upcoming one day Advanced Mediation Training:

"Maritime and Insurance - Mediating Across Cultures"

LECTURER: Rhys Clift

LOCATION: Brussels, Belgium

DATE: January 20, 2012

Check AIA website for additional information and application form:

www.arbitration-adr.org

and

European Mediation Training For Practitioners of Justice

LOCATION: Brussels, Belgium

DATE: September 3-15, 2012

Further information will soon be available at www.emtpj.eu

Recent proposals of the European Commission:

ADR for consumer disputes

On November 29, 2011 the European Commission published a Communication on Alternative dispute resolution for consumer disputes in the Single Market and two legislative proposals for a Directive on ADR for consumer disputes (Directive on consumer ADR), and a Regulation on online dispute resolution for consumer disputes (Regulation on consumer ODR).

Currently, consumers are reluctant to buy cross-border and traders often abstain from venturing into new markets primarily because they are concerned by the risk that they may have to deal with legal and judicial systems with which they are unfamiliar. Consequently, consumers fail to fully exploit the opportunities that the single market offers in terms of a wider choice of products or more effective competition on price and quality whereas traders lose their chances to expand and get new customers.

Though, most consumers who have used ADR recall it as a straightforward and transparent process and are more willing to resolve disputes through ADR than through court proceedings, the diversity and uneven geographical and sectoral availability of ADR entities prevent consumers and businesses from fully exploiting their potential.

The 2011 Commission Work Programme identified consumer ADR as one of the strategic Commission proposals for 2011. The Single Market Act, identified legislation on Alternative Dispute Resolution and Online Dispute Resolution as one of the key actions for re-launching growth and strengthening consumer confidence in the Single Market.

The legislative proposals for the Directive on consumer ADR and the Regulation on consumer ODR aim at making it easier for consumers to secure redress in the Single Market whether they are buying online or offline and, therefore, they effectively contribute to growth and economic stability through enhanced consumer demand. The two proposals complement each other. The implementation of the Directive will make quality ADR entities available across the EU for all consumer complaints related to contractual disputes arising from the sale of goods or the provision of services, which is a key requirement for the functioning of the ODR platform which will be set up by the Regulation.

The proposed legislation covers contractual disputes between consumers and traders arising from the sale of goods or the provision of services. This includes complaints filed by consumers against traders but also complaints filed by traders against consumers. However, the proposals do not cover disputes between businesses.

Directive on consumer ADR

The Directive on consumer ADR is aimed at ensuring access for any consumer, wherever he is resident in the EU, to quality ADR entities when problems arise from any purchase of goods or services from a trader established in the EU.

The Commission has been active in promoting ADR for more than 10 years. It adopted two Recommendations on consumer ADR, which have had a positive effect, in particular, by setting out a number of core quality criteria that ADR entities should respect. The Commission also established two networks dealing with ADR (ECC-NET and FIN-NET). A number of EU sector-specific legislation contains a clause on ADR and the Mediation Directive promotes the amicable settlement of disputes, including consumer disputes. Nevertheless, the analysis of the current situation identified a number of shortcomings which hinder the effectiveness of ADR and which the Directive on consumer ADR intends to cure.

Shortcoming 1: gaps in the coverage of ADR entities both at the sector-specific and geographical levels

Directive's approach: The Directive aims at ensuring that ADR entities are in place across the EU covering any contractual consumer dispute arising from the sale of goods or the provision of services. Under the present proposal, Member States shall ensure that all disputes between a consumer and a trader can be submitted to an ADR entity, either already existing or Member States may create new ADR entities or a residual cross-sectoral entity.

The present proposal covers, in particular, mediation procedures but also non-judicial procedures of an adjudicatory nature, such as procedures before consumer complaint boards, arbitration and conciliation procedures. The present proposal does not apply to consumer complaint handling systems operated by the trader nor to dispute resolution entities where the natural persons in charge of dispute resolution are employed exclusively by the trader. It also excludes direct negotiations between the parties.

Shortcoming 2: lack of awareness and insufficient information preventing consumers and businesses from using ADR entities

Directive's approach: Under the present proposal traders will be required to provide consumers with information on which ADR entity is competent to deal with potential contractual consumer disputes involving them. Such information must be contained in the main commercial documents of the trader and, where a trader has a website, on that website. In addition, traders will have to inform consumers on whether or not they commit to use ADR in relation to complaints lodged against them by a consumer.

Shortcoming 3: variable quality of ADR: a significant number of ADR entities are not in line with the core principles laid down by the two Commission Recommendations.

Directive's approach: Giving a binding effect to the principles of impartiality, transparency, effectiveness and fairness, the present proposal creates a level playing field for ADR and strengthens the confidence of both consumers and traders in ADR procedures. Transparency of ADR entities should guarantee that the parties receive all the information they need to take an informed decision before engaging in an ADR procedure. ADR procedures should be effective and address such shortcomings of court procedures as costs, length and complexity. The present proposal requires that disputes should be resolved within 90 days whereas ADR procedures should be free of charge or of moderate costs for consumers.

In each Member State, a competent authority will monitor the functioning of ADR entities established on its territory. The competent authorities will inter alia assess whether a given ADR entity respects the quality requirements laid down by the proposal. The competent authorities will also publish regular reports on the development and functioning of ADR entities. Every three years, the Commission will report to the European Parliament and the Council on the application of the Directive.

Regulation on consumer ODR

The 2011 Single Market Act included amongst its key priorities the establishment of "simple, fast and affordable out-of-court settlement procedures for consumers and protect relations between businesses and their customers. This action will also include an electronic commerce dimension". The Regulation on consumer ODR aims at establishing an EU-wide ODR system, which can effectively deal with disputes related to cross-border e-commerce transactions on the basis of the full coverage of quality ADR schemes to be achieved in accordance with the Directive on consumer ADR.

Under the present proposal, the online dispute resolution platform ("ODR platform") will take the form of an interactive website which will offer a single point of entry to consumers and traders who seek to resolve out-of-court a dispute which has arisen from a cross-border e-commerce transaction. The platform will be accessed in all official languages of the EU and its use will be free of charge. ADR schemes established in the Member States which have been notified to the Commission in accordance with the Directive on consumer ADR will be registered electronically with the ODR platform.

Consumers and traders will be able to submit complaints through an electronic complaint form which will be available on the platform's website in all official languages of the EU. Through the submitted data, the platform will identify the ADR entities which are potentially competent to deal with the dispute and transmit the complaint to the ADR entity on the competence of which the parties have agreed. That ADR entity will seek to resolve the dispute in accordance with its own rules of procedure within 30 days from the date of receipt of the complaint.

A network of online dispute resolution facilitators ("ODR facilitators' network") will be established which will consist of one contact point for online dispute resolution in each Member State. The ODR facilitators' network will provide support to the resolution of disputes submitted via the ODR platform.

Traders established within the EU that engage in cross-border e-commerce will be required to inform consumers about the ODR platform. This information shall be made accessible on the traders' websites as well as when the consumer submits a complaint to the trader.

The compliance by ADR schemes with the obligations set out in the Regulation on consumer ODR will be monitored by the competent authorities to be established in the Member States in accordance with the Directive on consumer ADR. Every three years the Commission will report to the European Parliament and the Council on the application of the Regulation.

Arbitration and mediation: international practice, perspectives of development in the Republic of Uzbekistan

Arbitration is booming in Uzbekistan. After the presidential decree "On further improvement of the system of legal protection of enterprises" of June 14, 2005 and the adoption of the Law "On arbitration courts" of August 26, 2007 commercial arbitration became an authentic mainstream, with 1,281 cases in 2010 and more than 5000 cases since the adoption of the arbitration law. This development was successfully reflected by the conference "Arbitration and mediation: international practice, perspectives of development in the Republic of Uzbekistan" of November 14, 2011 organized by the Association of the Arbitration Courts of Uzbekistan together with the OSCE Project Coordinator and the French Embassy in Uzbekistan.

More than 100 representatives from the governmental, non-governmental, and national private sector dealing with international commercial transactions, as well as representatives of foreign embassies and international organizations took part in the conference, which aimed to further support the development of arbitration and mediation in Uzbekis-

AIA Books for Sale

AIA is happy to announce that all books of its publication series are available for purchase.
Interested readers have now the opportunity to enhance their knowledge in various ADR-related issues.
Further information can be obtained at http://www.arbitration-adr.org/activities/?p=publications

tan. Apart from the Association for International Arbitration other international organizations present at the conference included the French Association of Arbitration, the Centre of Alternative Dispute Resolution of India, the Arbitration Institute of Finland, the German Institution of Arbitration, and the Inter-regional Community of Arbitration and Mediation from Russian Federation. The Association for International Arbitration, which not so long ago signed a Memorandum of Understanding with the Association of the arbitration courts of Uzbekistan, was represented by its president, Johan Billiet.

This conference started with a warm welcome word of I. Dolimov, chairman of the Association of the Arbitration Courts of Uzbekistan, I. Wenzel, OSCE project coordinator in Uzbekistan, and S. Ortikova, chairman of the Committee on legislation and judicial and legal affaires of the Uzbek Senate. J. Augendre, the president of the French Arbitration Association, and G. Muller, the chairman of the Chamber of Commerce of Finland, provided the attendees with deep insights into the recent developments of arbitration and mediation in France and Finland throughout morning sessions.

Then the president of AIA, J. Billiet, took the floor. He introduced the European Directive on mediation in civil and commercial matters and discussed its certain shortcomings that some member states managed to overcome and correct. Taking a comparative approach, he addressed the ways different member states implemented the Directive.

Additionally, he introduced to the delegates AIA's European Mediation Training to Practicioners of Justice (EMTPJ), a successful AIA project, that allows those who are interested and open minded to become a truly European Mediator.

In the second half of the day Yu. Mindrul, representing Inter-regional Community of Arbitration and Mediation in Russian Federation, spoke about the competence of arbitration courts in Russia to order interim measures. Other speakers of the afternoon included I. Vasishth and R. Rathor from India and A. Netzer from the German institution of arbitration (DIS).

Though it is undeniable that domestic arbitration works well in Uzbekistan, this cannot be said about mediation. Uzbekistan has just started to familiarize itself with this method of alternative dispute resolution and hopefully mediation will soon gain popularity similar to arbitration.

Book Review - Getting to :-)

by Anand Ayyappan Udayakumar

This book has been authored by Jelle van Veenen, researcher at Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems (TISCO) at Tilburg University, Netherlands, and is the outcome of his PhD research on integrative negotiation techniques for online dispute resolution. Published by Maklu, the text explores the potential of online communication to improve dispute resolution processes.

While it is generally recognized that online dispute resolution is cost-efficient, the text iterates that this method will also improve the quality of dispute resolution as the benefits inherent will refine the conflict management process and permit to improvise throughout it. A detailed investigation of the limitations and benefits of using online communication in dispute resolution processes are discussed. The author propounds that online communication can be limiting when offline processes are copied into an online environment. However, by designing processes specifically for the online usage, innovations are possible that are not available in offline dispute resolution.

Furthermore, the book focuses on the potential of online communication to support a specific dispute resolution process namely integrative negotiation, which is a common method for negotiating disputes used widely in legal practise and embedded in the formal system of many countries in the form of court-annexed mediation. In this research, the process is broken down into 14 concrete tasks which are discussed in detail.

Communication issues such as miscommunication, distrust and strong emotions are inherent in online dispute resolution. Three chapters describe how online applications may support users in dealing with communication issues in uncovering interests by utilizing different techniques, and in developing creative outcomes which aid in arriving at inventive solutions. In addition, the book provides three online dispute resolution applications to demonstrate how these methods are being used in practice.

In conclusion, the book discusses that the possibility of innovation and advancement in ADR processes can be utilized

The Association for International Arbitration (AIA) invites for articles to be published in its monthly newsletter "In Touch" distributed to a large network of ADR professionals worldwide. The articles are required to be ADR oriented, original and not previously published anywhere else.
Please send your articles by the 20th of every month to be included in the forthcoming monthly newsletter. AIA reserves discretion to decide regarding article's publication upon its review.
If interested please forward your submissions to events@arbitration-adr.org.

to resolve disputes in an effective and efficient way, considering the complexity and diversity of conflicts that arise. The text sheds light upon the future of ADR processes and the potential of online communication to support interest-based dispute resolution.

This book is available for purchase at:

http://www.maklu.be/MakluEnGarant/BookDetails.aspx?id=9789046604373

Questions regarding interpretation of the mediation directive pending before the Court of Justice

Since September 2011 the European Court of Justice has been faced with two cases referred to it by Italian judges which could become landmarks in the development of ADR.

1. Paola Galioto v Maria Guccione and Others

On September 7th 2011 the following questions were brought to the Court of Justice by the Tribunale di Palermo – Sezione Distaccata di Bagheria:

⇒ Do mediators need to have any legal skills? Can Articles 3 and 4 of Directive 2008/52/EC, concerning the effectiveness and competence of mediators, be interpreted as requiring that the mediator should also have legal skills and that the choice of mediator by the person responsible in the body concerned should take account of specific knowledge and professional experience relating to the subject-matter of the dispute?

⇒ Are parties free to choose a mediation body or do they have to take territorial competence into consideration? Can Article 1 of Directive 2008/52/EC be interpreted as requiring criteria on the territorial competence of mediation bodies which are intended to facilitate access to alternative dispute resolution and to promote the amicable settlement of disputes?

⇒ Where an amicable voluntary settlement is not reached, may the mediator draw up a proposal for conciliation, unless the parties concerned have jointly requested him not to do so? Can Article 1 of Directive 2008/52/EC, concerning the balanced relationship between mediation and judicial proceedings, Article 3(a), recital 10 and recital 13 of Directive 2008/52/EC, concerning the essentially voluntary nature of the mediation process for the parties as regards its organisation and any decision to terminate it, be interpreted as meaning that, where an amicable voluntary settlement is not reached, the mediator may draw up a proposal for conciliation, unless the parties concerned have jointly requested him not to do so (since they consider that they must terminate the mediation process)?

2. Ciro Di Donna v Società imballaggi metallici Salerno Srl (SIMSA)

Related to the Ciro Di Donna v Società imballaggi metallici Salerno Srl (SIMSA) case, the Justice of the Peace of Mercato San Severino referred on September 26, 2011 to the Court of Justice interesting questions about the costs of the proceedings. According to Article 5(2) of the EU Directive on certain aspects of mediation in civil and commercial matters national legislation can make the use of mediation compulsory or subject to incentives. The Justice of the Peace addressed the following questions:

Do Articles 6 and 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 47 of the Charter of Fundamental Rights of the European Union, Directive 2008/52/EC 1 of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters, the general European Union law principle of effective judicial protection and, in general, European Union law as a whole prevent the introduction of a set of rules such as that established in Italy by Legislative Decree No 28/2010 and Ministerial Decree No 180/2010, as amended by Ministerial Decree No 145/2011, under which:

⇒ a court hearing subsequent legal proceedings may infer evidence against a party who, without valid reason, has failed to participate in compulsory mediation;

⇒ where legal proceedings brought after the rejection of a settlement proposal are concluded by a judgment in precisely the same terms as those of the rejected proposal, the court must disallow recovery of the costs sustained by a successful party who rejected the settlement proposal in respect of the period following the making of the proposal and must order that party to pay the costs of the unsuccessful party in respect of the same period and to make a further payment to the state treasury in the same amount as that already paid in respect of fees (contributo unificato) (lump sum payment in

respect of court fees relating to the case payable on instituting proceedings);

⇒ where there are serious and exceptional reasons, a court may disallow recovery of the costs incurred by the successful party in respect of the remuneration paid to the mediator and the fees of any expert, even where the judgment concluding legal proceedings is not in exactly the same terms as those of the settlement proposal;

⇒ the court must order any party who has failed without valid reason to participate in mediation to pay to the state treasury a sum equal to the contributo unificato payable in respect of the proceedings;

⇒ the mediator may, or must, make a proposal for conciliation even in the absence of any agreement between the parties and even where the parties fail to participate in mediation;

⇒ the period within which the attempt at mediation must be completed may be up to four months;

⇒ an action may be proceeded with, even after expiry of the period of four months from the commencement of the mediation procedure, only after a report confirming that no agreement has been reached has been obtained from the secretariat of the mediation body concerned, drafted by the mediator and setting out the proposal that has been rejected;

⇒ there may be more than one attempt at mediation - and the period allowed for resolving the dispute will be multiplied accordingly - whenever a new application is legitimately made in the course of legal proceedings that have, in the meantime, been instituted;

⇒ the costs of compulsory mediation are at least twice those of the legal proceedings that mediation is designed to avoid, a disparity which increases exponentially as the amount involved in the case increases (to such an extent that the costs of mediation may reach more than six times those of legal proceedings) and the complexity of the case increases (such as to require the appointment of an expert, paid by the parties to the mediation, to assist the mediator in disputes that call for specific technical knowledge, even though any technical report prepared by the expert and the information he has obtained may not be used in any subsequent legal proceedings).

Hopefully it will not take long for the Court of Justice to address the raised points and provide full explanation in respect of each issue.

Arbitration in India- An uncertain road ahead!

by Anand Ayyappan Udayakumar

Brief history of arbitration in India

The mechanism of arbitration has been in existence in India since ancient times. However, the nomenclature designated to this alternative dispute resolution mechanism has widely varied. Modern arbitration law in India developed during the British rule. Until 1996, there were three main statutes governing arbitration in India:

⇒ The Arbitration (Protocol and Convention) Act, 1937 (1937 Act)

⇒ The Indian Arbitration Act, 1940 (1940 Act)

⇒ The Foreign Awards (Recognition and Enforcement) Act, 1961 (1961 Act)

The 1937 and 1961 Acts were implemented to enforce foreign arbitral awards.

The 1940 Act was modeled on the basis of the English Arbitration Act of 1934.

In 1996, the Arbitration and Conciliation Act was passed to modernize the 1940 Act. Though, based on the UNCITRAL Model Law (Model Law), the 1940 Act had two distinctions. Firstly, it extended the applicability of the 1996 Act to both domestic and international arbitration whereas the Model Law's scope was limited to international arbitration only, and secondly, the 1996 Act went beyond the Model Law in the area of minimizing judicial intervention.

The 1996 Act repealed all the three previous arbitration statutes. The primary focus of 1996 Act is to encourage a cost effective and quick resolution of commercial disputes.

Current trend of arbitral practice

Over a decade since the passing of the 1996 Act arbitration is still evolving at a very slow rate in India. In spite of the presence of both ad hoc and institutional arbitration practices, arbitrations conducted in the country are mostly ad hoc. Ignoring the presence of different institutional arbitration centers across the nation catering to both domestic and international arbitration oriented disputes, the concept of institutional arbitration has not yet surfaced and obtained wide acceptance.

Ad hoc arbitration houses numerous disadvantages in comparison to institutional arbitration. The following enunciates the drawbacks of ad hoc arbitration, particularly in reference to India:

⇒ Excessive Costs: The fees are not fixed or regulated in ad hoc arbitration while it is

done so under the rules of the institution conducting arbitration. Further additional running costs, expenses associated with requisite infrastructure which include trained secretarial/administrative staff for conducting ad hoc arbitration are unpredictable and ever expanding;

⇒ In India the current trend is to appoint retired judges from the country's courts of judicature for ad hoc arbitration. The costs of appointing such retired judges for ad hoc arbitration further increase the overall expenses associated with arbitration;

⇒ Unnecessary extension of duration: In ad hoc arbitration, the procedure has to be agreed by the disputants and this scenario results in unnecessary delays in the arbitration process which is aimed at expeditious resolution of disputes;

⇒ Lack of easiness in choosing arbitrators: Arbitral institutions maintain a list of arbitrators along with their profiles. The parties can choose from such lists an arbitrator who possesses necessary specialized skills. These benefits are unavailable to parties in ad hoc arbitration;

⇒ Difficulty in maintaining confidentiality: In institutional arbitration, the administrative and secretarial staffs are subject to the requirement of maintaining confidentiality, which cannot be expected in ad hoc arbitration;

⇒ Absence of arbitrator removal sanctions: The institutional arbitrators must abide by the rules of the institution and can be removed on certain grounds. No such removal sanctions are present in ad hoc arbitration;

⇒ Lack of scrutiny over arbitral awards: The final award rendered under the auspices of an arbitration institute is scrutinized by an experienced committee. No similar scrutiny is available in ad hoc arbitration.

Unfortunately, the current practice of arbitration in India is contrary to the purpose of ADR and mocks the need to uphold justice. Nearly 33 million cases are pending in the courts of law and the judiciary is unable to deal with the backlog, which makes resort to arbitration the need of the day.

The step forward

In order to move forward and to ensure that arbitration grows in India, adherence to the following suggestions is required:

⇒ Actively promoting referral to institutional arbitration by the judiciary and providing requisite legislative sanctions to facilitate the same;

⇒ Focusing on reaching the target audience and disseminating information that arbitration is a cost effective and speedy solution for disputes with proven data and strategies to further supplement dependence on this ADR mechanism;

⇒ Creation of an arbitration bar to regulate and inject higher levels of professionalism;

⇒ Formation of separate arbitration departments' at law universities across the nation. In addition impartation of arbitration theory supplemented by practical training to law students is of utmost importance.

The growth of arbitration usage in India is inevitable. The advantages of arbitration as an alternative dispute resolution mechanism cannot be ignored. The only question which arises though is 'when?' India has the potential of emerging as an international arbitral hub, given the favorable conditions it possesses. However, if a compelling initiative is not taken by the legal fraternity, the slow progress of arbitration and accumulation of backlog of cases will continue to deteriorate justice.

Book review – Gaining ground in difficult negotiations
by Anton Fischer

This book has been authored and edited by Manon Schonewille and Felix Merks, and has been published by Maklu. It aims to grasp the key learning's, visions and tools necessary to handle difficult situations in negotiations and to break impasses.

In today's world, lawyers as well as business men and women of all kinds are well advised to recognize negotiation as a core skill, not only for those directly involved in decision making. Once faced with diverse, complicated and tense situations, negotiators thirst for a set of tools in order to gain ground and to accomplish their

goals, even when dealing with people who may be difficult to interact with.

Negotiators who lack relevant tools are more likely those who endanger their mission's success by reacting in a 'fight or flight' response.

For all of those interested to achieve optimal results by way of negotiation, Manon Schonewille and Felix Merks, two distinguished scholars in the field of ADR provide a negotiation toolkit, inspired and developed amongst others by Bruce Patton, a true expert in the field of negotiation, helping to change the reader's negotiation behavior from 'instinctive' to 'strategic and in control'.

Book summaries of timeless classics such as Roger Fisher's, William Ury's and Bruce Patton's Getting to Yes, Negotiation Agreement Without Giving, William Ury's Getting Past No, Negotiating your Way from Confrontation to Cooperation as well as checklists, work sheets and interviews aim to grasp the theory. Instructions to role plays shall help to transfer those insights into practical experience.

Compiled to be a supportive supplement and highlighting the key points of successful negotiation, *Gaining ground in difficult negotiations* is nevertheless to be read in addition to, and should never replace other sources of information. Bearing that in mind, this book can serve as a helpful tool for paving the way towards Win-Win situations.

This book is available for purchase at: http://www.maklu.be/MakluEnGarant/BookDetails.aspx?id=9789046604038

AIA Recommends to attend

SEE Investment Protection 2011

Safeguarding investment in SEE:
The role of Dispute Resolution

26 January 2012 Vienna, Austria
http://www.eelevents.co.uk/see_investment_protection_forum_2012/

delegate@eelevents.co.uk
+44 (0) 207 275 8020

This event will unite key players from across the Investment industry, both from private and public sectors, tackling key issues facing investors and states in this growing region. Focusing on dispute resolution and investment concerns this event will provide a platform for leading Law Firms to provide an overview of the legal options available to investors in relation to investment treaties and dispute resolution.

Key topics:

- ⇒ Addressing the Eurozone crisis and the impact on investment appetite
- ⇒ Impact on ratings and trade
- ⇒ Mitigating risk in Investor-State disputes
- ⇒ The recent Hungarian Mortgage crisis and its Impact on European Lenders
- ⇒ Promoting Foreign Direct Investment (FDI) in emerging markets
- ⇒ The importance of ADR in SEE: Case study IFC's ADR Program
- ⇒ Limiting risks and getting results – the use of ADR and mediation
- ⇒ The legislation and investment environment in post-Soviet markets: The case of Belarus
- ⇒ The role of mediation, do investors understand its role?
- ⇒ Risk avoidance: What to watch out for?
- ⇒ Understanding legal frameworks and ADR
- ⇒ The role of the State: Upholding BITs, MITs and International Conventions

This event will attract a broad range of financiers and investors, from the major banks, through to pension funds and private equity firms, and will offer a platform for leading experts to share their knowledge and showcase their expertise to investors in relation to investment risk and dispute resolution. This forum will highlight to investors the importance of consulting an arbitration/dispute resolution lawyer before investing in emerging markets, and will therefore provide an excellent opportunity to meet potential new clients.

Some key speakers include:

- ⇒ Ms Anna Joubin-Bret, Senior Legal Advisor UNCTAD, Switzerland
- ⇒ Mr Roberto Echandi, Director Program on International Investment World Trade Institute, Switzerland (tbc)
- ⇒ Mr Markus Burgstaller, Senior Associate Hogan Lovells, London
- ⇒ Ms Tijana Kojović, Partner Bojovic•Dasic•Kojovic, Serbia
- ⇒ Dr Witold Jurcewicz, Partner of Counsel White & Case, Poland
- ⇒ Ms Ana Stanić, Founding Partner E&A Law, United Kingdom
- ⇒ Mr Steven Walker, Advocate & Barrister Terra Firma Chambers, United Kingdom
- ⇒ Mr Dmitry Arkhipenko, Managing Partner Revera Consulting Group, Belarus
- ⇒ Dr Jürgen Marchart, Managing Director AVCO, Austria

Whether you are looking to enhance your presence in South and Eastern European markets, investing in new projects or want to find out more about investment protection and dispute resolution, this event ensures you meet leading legal experts, public stakeholders and investors. Contact our investment team for more information about participating, presenting or exhibiting at this event.

Members of AIA receive 15% discount on registration.