

School of International Arbitration and ICC Institute of World Business

Law 37th Annual Joint Symposium of Arbitrators

London, 27 June 2022

Venue: Herbert Smith Freehills LLP, Exchange
House, Primrose St, London EC2A 2EG

Tribunal Deliberations and Award Drafting

PROGRAMME

Joint Chair **Prof Stavros Brekoulakis**, Director, School of International Arbitration,
& 3 Verulam Buildings
& **Teresa Giovannini**, Lalive, ICC Institute of World Business Law

09:15 – 09:45 *Registration and coffee*

09.45 - 10.00 Welcome address
Prof Julian Lew QC, Head, School of International Arbitration & 20
Essex St
& **Craig Tevendale**, Herbert Smith Freehills

Morning Session: Tribunal Deliberations

10.00 – 12.30 Issues to be addressed:

- Legal and procedural requirements of deliberations
- Secrecy of deliberations
- How do tribunals deliberate? Format and process of deliberations
- Arbitrators' Retreat?
- Fixing the list of issues?
- Timetable for deliberations/drafting
- The role of the chairperson

- The role of party-appointed arbitrators
- Dealing with uncooperative members of tribunal
- Deliberations and compromises

Moderators: **Prof Stavros Brekoulakis**, Director, School of International Arbitration, & 3 Verulam Buildings
& **Prof Georges Affaki**, Affaki

Speakers:

- **Audley Sheppard QC**, Clifford Chance
- **Mika Savola**, Independent Arbitrator
- **Valeria Galindez**, Galindez Arb
- **Karyl Nairn QC**, Skadden
- **James Castello**, King & Spalding
- **Dr Inka Hanefeld**, HANEFELD International Dispute Resolution

12.15-13.30

Lunch

Afternoon Session: Award Drafting

13.30-16.00

Issues to be addressed

- Legal framework: finding applicable law/rules to the circumstances
- Drafting the “good award”
- Process of award writing
- Dividing the drafting role – or presiding arbitrator draft all?
- Rethinking award-drafting conventions: procedural history, summary of parties’ submissions & reasoning
- Use of evidence / exhibits in award drafting
- The role of administrative secretaries
- The role of institutions: review and scrutiny of draft awards
- Dissenting opinions
- Allocating costs

Moderators: **Prof Julian Lew QC**, Head, School of International Arbitration & 20 Essex St
& **Teresa Giovannini**, Lalive, ICC Institute of World Business Law

Speakers:

- **Dame Elizabeth Gloster**, DBE, PC, One Essex Court
- **Paula Hodges QC**, Herbert Smith Freehills
- **Laurence Shore**, BonelliErede-Milan'
- **Ana Serra e Moura**, ICC International Court of Arbitration
- **Prof Crenguta Leaua**, LDDP Law Firm
- **Prof Mohamed Abdel Wahab**, Zulficar & Partners Law Firm

16.00-16.15

Conclusions

Teresa Giovannini, Lalive, ICC Institute of World Business Law