Fraud in International Arbitration

PROGRAMME

09:00 – 09:30 Registration and coffee

09:30 - 09:40 Welcome address

Julian D M Lew KC, Head of School of International Arbitration, Queen Mary University of London

Session 1: Types of fraud in international arbitration

09.40 – 11.10 Issues to be addressed

• Corruption and Bribery in International Arbitration
  The Rt. Hon. Dame Elizabeth Gloster, One Essex Court

• Fraud that affects the procedure
  James Herbert, Counsel Gaillard Banifatemi Shelbaya Disputes

• Fraud that affects the evidence presented: Documents/Witnesses
  Paula Hodges, Head of the Global Arbitration Practice, Herbert Smith Freehills

• Fraudulent use of Arbitration
  Fernando Mantilla Serrano, Partner, Latham & Watkins
Moderator:
Norah Gallagher, Director School of International Arbitration, Queen Mary University of London

Coffee Break: 11:10-11:30

Session 2: Duties of arbitrators and counsel to international arbitration tribunals

11.30-13.00 Issues to be addressed

• Ethics and practical requirements of practicing lawyers before international arbitration tribunals
  Juan Fernández Armesto, Arbitrator, Juan Fernández Armesto

• Duties and obligations of Arbitrators
  Nahendran Navaratnam, Arbitrator, Navaratnam Chambers

• Duties owed by experts to arbitral tribunals
  James Dow, Professor of Finance at London Business School

• Authority of arbitrators over counsel
  Laurence Shore, Of Counsel BonelliErede

Moderator:  Maria Claudia Procopiak, Arbitrator, Procopiak Arbitration

13:00 – 14:00 Lunch

Session 3: Applicable International Standards and Guidelines

14.00-15.30 Issues to be addressed

• National and international legal framework applied to fraud and bribery
  Anna Joubin-Bret Secretary of the United Nations Commission on International Trade Law, Director of the International Trade Law Division
• Legal consequences of establishing fraud and corruption in commercial arbitration
  Dominique Hascher, Judge at the Supreme Judicial Court (Cour de Cassation, France)

• Legal consequences of establishing fraud and corruption in investment arbitration
  TBC

• National courts keeping an eye on arbitration proceedings
  Chuan Thye Tan, Partner Rajah and Tann

Moderator:
Julian D M Lew KC, Head of School of International Arbitration, Queen Mary University of London

Tea Break 15:30 - 15:45

Session 4: The Role of Arbitral Institutions

15.45-17.15 Issues to be addressed

• The role of arbitral institutions in combating fraud in arbitration
  Jacomijn van Haersolte-van Hof, Director General of the LCIA

• New technologies at the service of arbitration
  Ashleigh Brocchieri, Expert Counsel at ICC International Court of Arbitration

• The response of arbitral institutions to data protection and cyber-security
  TBC

• Reconciling confidentiality and privacy concerns with greater visibility in arbitration
Remy Gerbay, Partner in Hughes Hubbard

Moderator

Eduardo Silva Romero, ICC Institute of World Business Law

17:15

Concluding Remarks: Eduardo Silva Romero, ICC Institute of World Business Law