



## INTERNATIONAL CONFERENCE

# 60 YEARS OF THE NEW YORK CONVENTION ON THE RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS KEY ISSUES AND FUTURE CHALLENGES

LOYOLA UNIVERSITY ANDALUSIA

**4-6 April 2018**

SEVILLE



Presidency of the Scientific Committee for the Conference

Dr. Ana Mercedes López Rodríguez (Loyola University Andalusia)

Dr. Katia Fach Gómez (University of Zaragoza)



## SCIENTIFIC COMMITTEE

### Presidency of the Scientific Committee for the Conference

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### -40 Conference co-director

**Ángel S. Freire**, Associate at Araoz & Rueda, Madrid

For further information see the Conference website

[www.loyola.es/en/foreign-arbitral-awards](http://www.loyola.es/en/foreign-arbitral-awards)

INTERNATIONAL CONFERENCE

60 YEARS OF THE NEW YORK CONVENTION  
ON THE RECOGNITION AND ENFORCEMENT  
OF FOREIGN ARBITRAL AWARDS  
KEY ISSUES AND FUTURE CHALLENGES

14:30 - 15:00 > Registration

Cuatrecasas

Venue: Calle Fernández y González, 2. Seville.

15:00 - 15:15

Opening and Welcome Speeches

**Ángel S. Freire**, Associate, Araoz & Rueda, Madrid, -40  
Conference co-director.

**Rafael Monsalve del Castillo**, Partner, Cuatrecasas,  
Seville.

**Patricia Saiz**, Club Español del Arbitraje (CEA -40),  
Associate Professor and Director of International  
Relations, ESADE, Barcelona.

**Ana Mercedes López Rodríguez**, Associate Professor,  
Loyola University Andalusia, Conference co-director.

15:15 - 16:30

ACUERDOS ARBITRALES  
Y EJECUCIÓN DE LAUDOS EN  
EL CONTEXTO INTERNACIONAL  
(Session in Spanish)

**Moderator: Carlos Rodríguez Díaz**, Partner, BRD  
Abogados and Part-time Professor, Loyola University  
Andalusia.

Speakers:

**Isabel Lorente Martínez**, Lecturer, University of Murcia.

**Litigación internacional e impugnación del con-  
venio arbitral en vía principal**

**Natalia Álvarez Aladrén**, Associate, RZS Abogados y  
Economistas, Seville.

**Artículo II, Párrafo 2 de la Convención sobre  
el reconocimiento y ejecución de sentencias  
arbitrales extranjeras: Interpretación de la  
expresión "acuerdo por escrito" en virtud del  
contexto comercial actual. Incidencia del Co-  
mercio Electrónico**

**María Asunción Cebrián Salvat**, Lecturer, University of  
Murcia.

**La excepción de orden público en la NYC**

**Iñaki Carrera**, Associate, PLMJ Advogados, Lisbon.

**El Convenio de Nueva York y el orden público  
positivo**

**Yeray Romero Matute**, Ph.D. student, University of  
Zaragoza.

**La aplicación en España de la Convención de  
Nueva York a laudos del Tribunal de Arbitraje  
Deportivo**

**Gustavo Prieto**, Visiting fellow, Max Planck Institute  
for Comparative Public Law and International Law,  
Heidelberg.

**El "derecho constitucional" del arbitraje inter-  
nacional: el impacto de la CNY en el régimen de  
arbitraje de inversiones**

## Corte Española de Arbitraje

Fundada en 1981, la Corte Española de Arbitraje es la institución arbitral decana en España. Ofrece a los operadores económicos, tanto públicos como privados, servicios de resolución de disputas comerciales bajo los principios de independencia, transparencia y calidad en el servicio. Tanto su organización como actividad están orientadas a prestar a sus usuarios, y en particular a las empresas, un servicio de arbitraje excelente que ofrezca una alternativa efectiva a los tribunales de justicia. La Corte Española de Arbitraje administra tanto arbitrajes domésticos como internacionales.



## Spanish Court of Arbitration

Founded in 1981, the Spanish Court of Arbitration was the first arbitral institution to be set up in Spain. It provides economic operators, both public and private, with dispute resolution services under principles of independence, transparency and service quality. The Court seeks to deliver excellent arbitration services as an effective alternative to state courts for users, especially businesses. The Spanish Court of Arbitration administers both domestic and international arbitrations.

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Ribera del Loira, 12. 28042 Madrid T. + 34 91 590 69 00

[www.corteespanolaarbitraje.es](http://www.corteespanolaarbitraje.es)

16:30 - 17:45

## JUDICIAL APPLICATION OF THE NY CONVENTION

(Session in English)

**Moderator:** José María Fernández de la Mela, Corte Española de Arbitraje, Madrid

**Speakers:**

**Diogo Manuel Pereira**, Private Sector Development Specialist, World Bank Group, Washington, D.C. & **Supritha Suresh**, LL.M, Candidate, University of Miami School of Law.

**Dealing with Dishonesty: A Narrative of Deals, Deception, and Detectives under the New York Convention**

**Jessica Dewolf**, LL.M, Candidate, Comillas Pontifical University, Madrid.

**Loopholes in the Law: Does the Forum Non Conveniens Doctrine Pervert the Intention of the New York Convention?**

**Sumru Akter**, Associate, Göksu Aydın Attorneys at Law, Istanbul.

**Flipping the Hourglass: Time Limits for the Recognition and Enforcement of Foreign Arbitral Awards**

**Diora Ziyeva**, Associate, Dentons, New York.

**The NYC and Enforcement of Annulled Awards**

**María Antonia Pérez**, Associate, Araoz & Rueda, Madrid.

**Enforcement of Annulled Awards: the Role Played by the Seat of the Arbitration. Differences between Jurisdictions**

**Diana Giner Alonso**, Associate Professor, Universidad San Jorge, Zaragoza.

**The Construction of a Powerful Argumentation in the Enforcement of Annulled Pemex Award**

**Sara Scordo**, Trainee, Alpeggiani & Associati, Milan.

**The Need of a Uniform Notion of Arbitrability: a Comparative Study on Corporate Arbitration**

18:00 - 19:15

## THE NY CONVENTION AND INVESTMENT ARBITRATION

(Session in English)

**Moderator:** Krystle Baptista Serna, Associate, Armesto & Asociados, Madrid

**Speakers:**

**Aliz Káposznyák**, Research Fellow, Eötvös Loránd University, Budapest.

**The Expanding Role of the New York Convention in Enforcement of International Investment Arbitral Awards**

**Berk Demirkol**, Lecturer, University of Galatasaray, Istanbul.

**Direct Responsibility of the State for the Breach of the New York Convention in Investment Treaty Arbitration**

**Javier García Olmedo**, Research Fellow, Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law.

**Sovereign Immunity as a Ground to Refuse the Enforcement of Investment Treaty Awards: The New York Convention and the ICSID Convention Compared**

**Michael De Boeck**, Research Fellow, Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law.

**Exploring Commercial Arbitration Tribunals' Access to Preliminary References as a Tool for More Procedural Efficiency and Effective Enforcement of Awards**

**Piotr Wilinski**, Lecturer, Erasmus University, Rotterdam.  
**Should the Miami Draft Be Given a Second Chance? Or the New York Convention 2.0**

**Fernando Gallego Osuna**, Official of the European Union, Brussels.

**The Investment Court System and the Multilateral Investment Court. The Recognition and Enforcement of the Decisions of the New Systems Proposed by the European Commission in Third Countries**

**Anastasia Medvedskaya**, Trainee, Debevoise & Plimpton, London.

**Enforcement Mechanism under the TTIP Investment Court System, an Appropriate Tool for Enforcing in Third States?**

20:30 > Welcome cocktail reception  
Restaurante La Raza

Avda. Isabel la Católica, 2, Parque de María Luisa, Seville.

08:45 - 09:15 > Registration

Loyola University Andalusia  
Hall, Building F

09:15 - 09:45

Executive Room, Building F

## OPENING AND WELCOME SPEECHES

**Anna Joubin-Bret**, The Secretary of UNCITRAL.

**Gabriel Pérez Alcalá**, President, Loyola University Andalusia.

**Carlos de los Santos**, Vicepresident, Club Español del Arbitraje.

**Regional Government Representative.**

**Local Council Representative.**

**Ana Mercedes López Rodríguez &**

**Katia Fach Gómez**, Conference Directors.

09:45 - 10:45

Executive Room, Building F

## PLENARY SESSION

### 60 Years of the NY Convention: A Success Story

**Moderator: Steve Hammond**, Partner, Hughes Hubbard & Reed, New York.

**Speakers:**

**Emmanuel Gaillard**, Partner, Shearman & Sterling, Paris.

**The UNCITRAL Guide to the New York Convention. Methods and Conclusions**

**Yas Banifatemi**, Partner, Sherman & Sterling, Paris.

**The Website [newyorkconvention1958.org](http://newyorkconvention1958.org)**

**Corinne Montineri**, Legal Officer, UNCITRAL.

**UNCITRAL Technical Assistance and Training Activities on the New York Convention**

10:45 - 11:15 > Coffee Break

(Executive Room, Building F)



11:15 - 12:45

## APPLICATION OF THE NY CONVENTION AND THE ARBITRAL AGREEMENT

### PARALLEL SESSION A

Room G-01, Building G

#### Key Terms, Definitions and Scope

**Moderator:** **Pilar Perales Viscasillas**, Professor, University Carlos III Madrid.

#### Speakers:

**Hannah van Roessel**, Director, Counsel, Omni Bridgeway, Amsterdam.

**Practical Limitations to the Scope of Application of the New York Convention - the Frequent User's Perspective**

**Anibal Sabater**, Partner, Chaffetz Lindsey, New York.

**Binding, Advisory, or Negligible: Do the New York Convention Provisions Matter to Arbitrators?**

**Fernando Mantilla Serrano**, Partner, Latham & Watkins, Paris.

**National Awards: the Second Scenario of Article 1.1 New York Convention**

**Paul Key QC**, Barrister, Essex Court Chambers, London.

**Estoppel and Res Judicata in the Context of Decisions Made by Another State's Courts on Matters Arising Under the New York Convention**

**Félix J. Montero**, Partner, Pérez-Llorca, Madrid.

**New York Convention: Recognition and Enforcement against Sovereign Entities**

### PARALLEL SESSION B

Room E-18, Building E

#### The Arbitral Agreement

**Moderator:** **David Arias**, Partner, Arias, Madrid.

#### Speakers:

**Ana Armesto**, Independent arbitrator, Bilbao.

**Multi-Tiered Dispute Resolution Clauses. Is There a Need for a New York Convention on Mediation/Conciliation?**

**Manuel Penadés Fons**, Lecturer, King's College, London & **Pedro Tent Alonso**, Associate, J&A Garrigues, Valencia and Associate lecturer of Private International Law, University of Valencia.

**Enforcement of Arbitral Agreements and Kompetenz-Kompetenz**

**Ignacio Santabaya**, Of counsel, Jones Day Madrid & **Carlota Dominguez**, Associate, Jones Day, Madrid.

**Recognition and Enforcement of Arbitral Awards against Non-Signatories. Do We Really Want to Get Rid of Arbitration Agreements in Writing?**

**Maryam Salehijam**, Ph.D. candidate, Transnational Law Center, Ghent University.

**Remedying the Adverse Effect of Multi-Tiered Dispute Resolutions Clauses Calling For Mediation Prior To Arbitration**

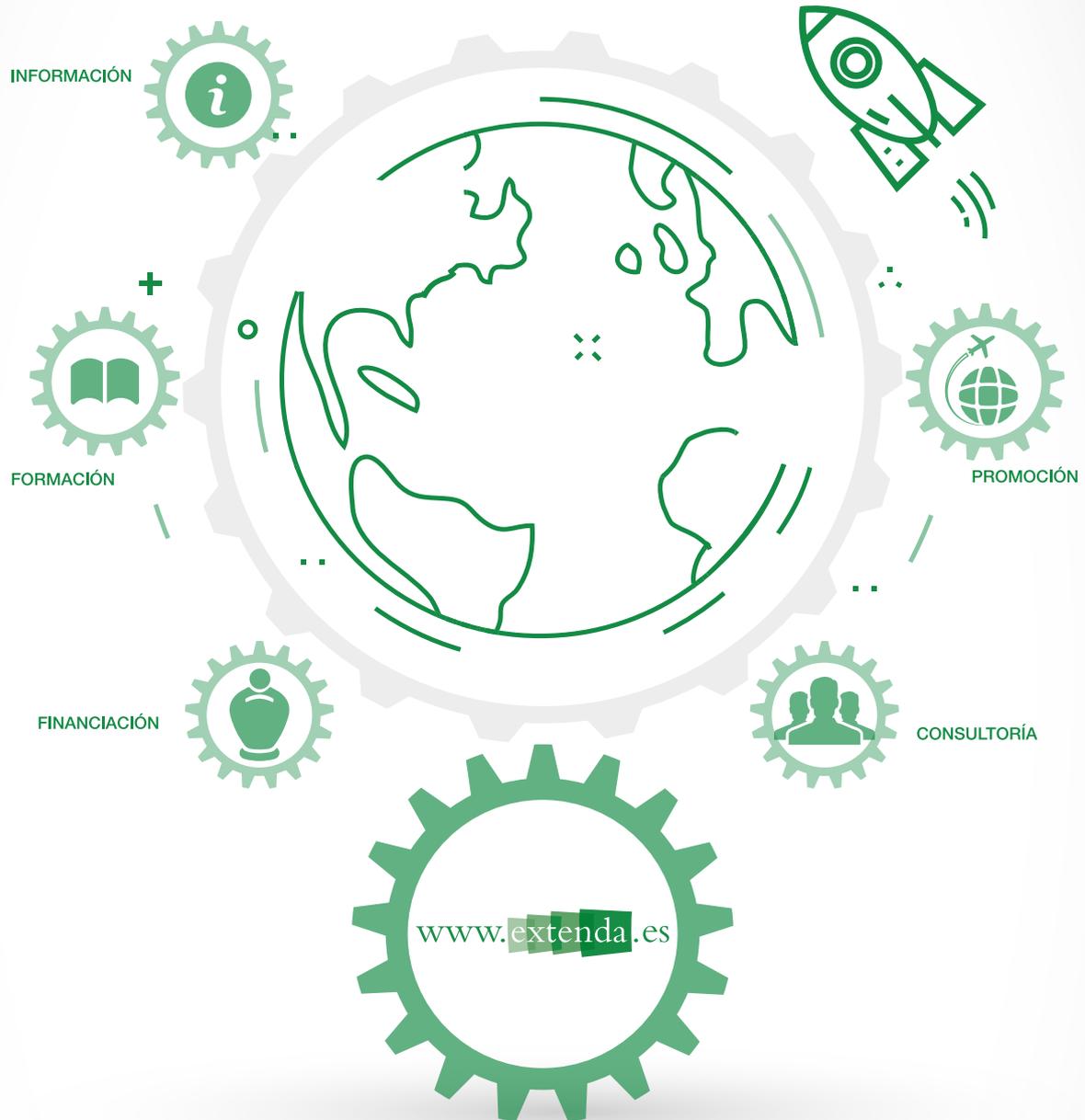
**Helmut Brokelmann**, Partner, Martínez Lage, Allendesalazar & Brokelmann, Madrid.

**Are tortious cartel follow-on damages claims covered by standard arbitration agreements?**

12:45 - 14:00 > Lunch  
(Executive Room, Building F)

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Síguenos en:     

14:00 - 15:30

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## NEW ISSUES IN ARBITRATION AND THE NY CONVENTION

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### PARALLEL SESSION A

Room G-01, Building G

#### The NY Convention and the Use of Information Technology

**Moderator: Patricia Fröhlingsdorf**, State Attorney, Spanish Ministry of Justice.

Speakers:

**Reinmar Wolff**, Professor, University Mamburg.

**The New York Convention and the UN Convention on Electronic Communications in International Contracts**

**Nadine Lederer**, Associate, Hogan Lovells, Munich.

**The New York Convention and the Internet: Friends or Foes?**

**Irene Ng (Huang Ying)**, Ph.D. student, University of Vienna

**When the Tribunal is an Algorithm: Complexities of Enforcing Orders Determined by a Software under the New York Convention**

**Sara Hourani**, Lecturer in Law, Middlesex University, London.

**Recognition and Enforcement of Cross-border Online Arbitral Awards: Challenges in the Era of Automation**

### PARALLEL SESSION B

Room E-18, Building E

#### Suitability of the NY Convention for Modern Trade. Emergency Arbitration

**Moderator: Urquiola de Palacio del Valle de Lersundi**, Partner, Palacio & Asociados, Madrid.

Speakers:

**Marike Paulsson**, Director of the University of Miami School of Law's International Arbitration Institute, Lecturer in Law.

**The New York Convention's 60<sup>th</sup> Anniversary. A Restatement for the New York Convention?**

**Joe Tirado**, Partner, Garrigues, London.

**Time for a New York Convention? Was Albert van der Berg Right?**

**Orsolya Toth**, Assistant Professor, University of Nottingham.

**Suitability of the New York Convention for Modern Trade**

**Poomintr Sooksripaisarnkit**, Lecturer, University of Tasmania, Australia & **Sai Ramani Garimella**, Senior Assistant Professor, South Asian University, New Delhi, India.

**The Compability of the Emergency Arbitrator under the New York Convention and Domestic Law**

**Elena Gutiérrez García de Cortázar**, Independent arbitrator, Paris.

**Enforcement of Decisions of the Emergency Arbitrator under the New York Convention and Domestic Laws**

**Jakob Horn**, Wissenschaftliche Mitarbeiter, Friedrich Schiller University Jena.

**The Emergency Arbitrator**

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15:30 - 16:45

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**GROUNDS FOR REFUSAL  
UNDER THE NY CONVENTION (I)**

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**PARALLEL SESSION A**

Room G-01, Building G

**Public Policy**

**Moderator:** **Corinne Montineri**, Legal Officer, UNCITRAL.

**Speakers:**

**Margaret L. Moses**, Professor, Loyola University Chicago School of Law.

**Public Policy under the New York Convention: National, International or Transnational**

**Murat R. Özsunay**, Part-time Professor, Özyegin University, Istanbul.

**The Public Policy Exception under New York Convention. Other Defences to the Recognition and Enforcement of Foreign Arbitral Awards**

**Karsten Nowrot**, Professor, University of Hamburg & **Emily Sipiorski**, Senior Researcher, University of Hamburg.

**Constitutionalizing the 1958 New York Convention from below by Other Means? The Relevance of Respondent States' Domestic Constitutional Law in the Enforcement of Awards**

**Iina Tornberg**, Ph.D. Student, University of Helsinki.  
**Competition Law Provisions as Manifestations of Public Policy within the Meaning of Article V (2) (b) of the New York Convention? Examining Competition Law of the People's Republic of China to Reveal the Uniqueness of Competition Law in the Context of International Commercial Arbitration**

**PARALLEL SESSION B**

Room E-18, Building E

**Other Grounds (I)**

**Moderator:** **Anna Joubin-Bret**, The Secretary of UNCITRAL.

**Speakers:**

**Petri Taivalkoski**, Partner, Roschier, Helsinki.

**Arbitrator's Perspective in Ensuring Enforceability of the Award against Challenges Based on Alleged Violation of Due Process**

**José Ricardo Feris**, Partner, Squire Patton Boggs, Paris.

**Partial Awards on Jurisdiction and Article V (1) (a) New York Convention**

**Rafael Carlos de Rosal Carmona**, International Case Counsel, International Centre for Dispute Resolution, New York.

**Lack of Impartiality or Independence as Grounds to Deny Enforcement under the New York Convention**

**Ramona Cirlig**, Associate, Musat & Asociatii, Bucharest.

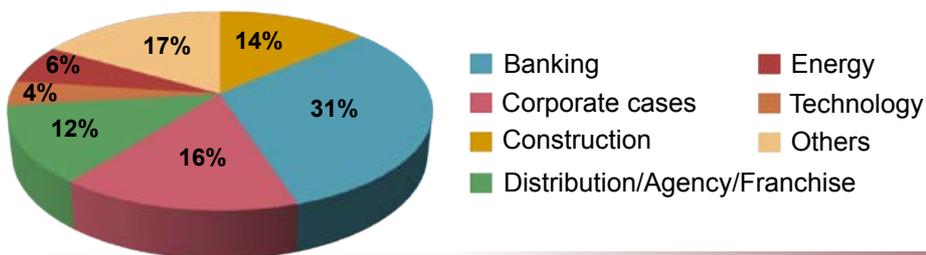
**Party Autonomy in Determining the Rules of Law Applicable in International Commercial Arbitration and its Limits Derived from the New York Convention**

**16:45 - 17:15 > Coffee Break**  
(Executive Room, Building F)

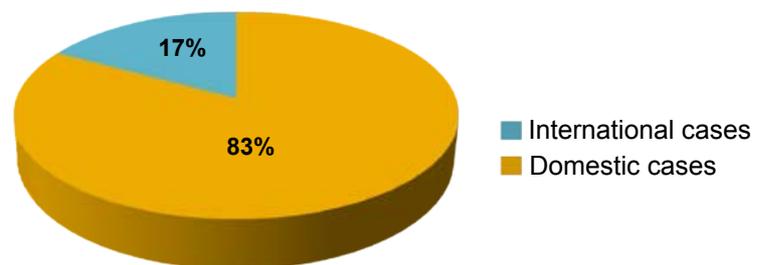
## FACT SHEET 2017

- Cases managed: 145 (over 2,900 since the Court's foundation)
- Aggregate value of cases managed: Over 1,000 million euros
- Average amount in dispute: 6.6 million euros
- Secretariat with ten-people team

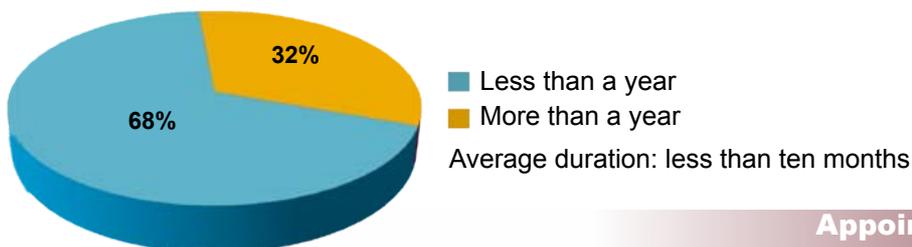
### Our cases by economic sector



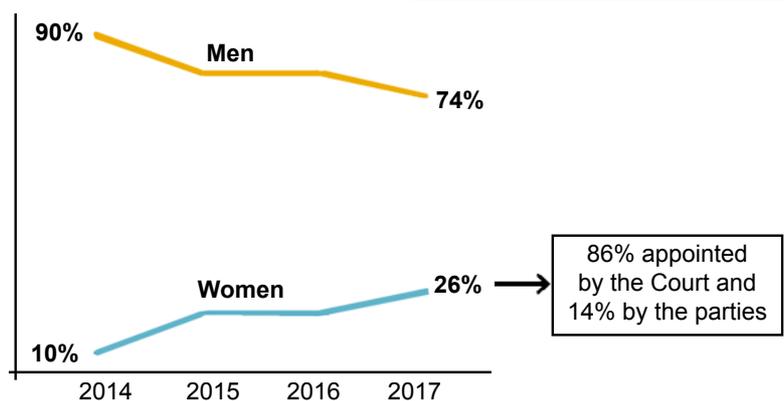
### International and domestic balance



### Duration of proceedings



### Appointment of women arbitrators (three-year evolution)



17:15 - 18:30

## GROUNDS FOR REFUSAL UNDER THE NY CONVENTION (II)

### PARALLEL SESSION A

Room G-01, Building G

#### Other Grounds (II)

**Moderator: Santiago Martínez-Lage**, President, Martínez Lage, Allendesalazar & Brokelmann, Madrid.

#### Speakers:

**Fabien Gélinas**, Full Professor, McGill University, Montreal & **Giacomo Marchisio**, Research Associate, McGill University, Montreal.

**Procedural Irregularities in Arbitration under the New York Convention: Toward a Transnational Approach**

**Didem Kayali**, Assistant Professor, TOBB University of Ankara.

**Independence and Impartiality of Arbitrators as a Refusing Ground under Article V of the New York Convention**

**Stavroula Angoura**, Ph.D. Candidate, Research Fellow, Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law.

**Arbitrator's impartiality under Art. V(1)(d) of the New York Convention**

### PARALLEL SESSION B

Room E-18, Building E

#### Enforcement of Annulled Awards

**Moderator: Antonio Sánchez-Pedreño**, President, Corte de Arbitraje de Madrid.

#### Speakers:

**Vladimir Gladyshev**, Attorney-at-law, member of the Moscow bar.

**Enforcement of Awards Annulled by the Courts of the Russian Federation: Developing the Practice of European Courts**

**Kenneth Figueroa**, Partner, Foley Hoag, Washington D.C.

**Deference to Nullity?: The New York Convention and Enforcement of Annulled Awards**

**Mostafa Fahim Nia**, Attorney at Law, Iran Bar Association.

**Enforcement of Annulled Awards (A Global Comparative Study in Common Law and Civil Law Countries)**

**Víctor Mancera**, Associate, Osborne Clarke, Madrid.  
**Particularities of the Enforcement Proceedings of an Annulled Award**

20:30 > Conference Dinner  
Restaurante Abades Triana  
Calle Betis, 69, Seville

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9:30 - 11:00

**JURISDICTION AND COURT ASSISTANCE**  
(Session in Spanish)

**PARALLEL SESSION A**

Room G-01, Building G

**Derecho procesal  
internacional y la Convención  
de Nueva York**

**Moderator:** **Andrés Rodríguez Benot**, Senior professor. University Pablo de Olavide, Seville.

**Speakers:**

**Alfonso Luis Calvo-Caravaca**, Senior Professor, University Carlos III, Madrid.

**Declinatoria internacional y convenio arbitral: Derecho internacional privado europeo y Convención de Nueva York de 10 junio de 1958**

**Javier Carrascosa González**, Senior Professor, University of Murcia.

**Acciones por daños e incumplimiento del convenio arbitral: Derecho internacional privado europeo y Convención de Nueva York de 10 junio de 1958**

**Juliana Rodríguez Rodrigo**, Tenured Associate professor, University Carlos III, Madrid.

**La Convención de Nueva York y el Arbitraje de Inversiones**

**Isabel Antón Juárez**, Assistant Professor, University Carlos III, Madrid.

**Medidas cautelares en los procedimientos de arbitraje ante Estados miembros partes del Reglamento Bruselas I Bis**

**Dámaso Javier Vicente Blanco**, Lecturer, University of Valladolid.

**El arbitraje internacional como no lugar. Deslocalización del arbitraje y del derecho aplicable y reconocimiento del laudo extranjero**

**PARALLEL SESSION B**

Room E-18, Building E

**La relación entre la Convención de  
Nueva York y otros instrumentos  
internacionales sobre jurisdicción**

**Moderator:** **Francisco José Garcimartín Alférez**, Consultant, Linklaters, Madrid and Senior Professor, Autonomous University of Madrid.

**Speakers:**

**Miguel Gómez Jene**, Of counsel, Cuatrecasas, and Professor UNED, Madrid.

**Declaración de no reconocimiento del laudo arbitral**

**Iván Heredia**, Tenured Associate Professor, Autonomous University of Madrid and Associate, Garrigues, Madrid.

**Reconocimiento de laudos extranjeros y concurso**

**Laura García Gutiérrez**, Tenured Associate Professor, Autonomous University of Madrid.

**La adopción y la ejecución de medidas cautelares en el arbitraje comercial internacional: ¿una cuestión pendiente en la Convención de Nueva York de 1958?**

**Javier Viaña de la Puente**, Assistant Professor, Deusto University, Bilbao.

**Problemas prácticos en la ejecución de laudos extranjeros vía artículo V. d) de la Convención de Nueva York. Diálogo entre 'common law' y 'civil law'**

**Ángel María Ballesteros Barros**, Professor, University of Cadiz.

**La relación entre la Convención de Nueva York de 1958 y otros instrumentos internacionales sobre jurisdicción, reconocimiento o exequátur**

**11:00 - 11:30 > Coffee Break**  
(Executive Room, Building F)

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11:30 - 13:00

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## NATIONAL AND REGIONAL APPROACHES TO THE NY CONVENTION

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### PARALLEL SESSION A

Room G-01, Building G

#### Europe (I)

**Moderator: Manuel Conthe**, President, Corte Española de Arbitraje, Madrid.

**Speakers:**

**Álvaro López de Argumedo**, Partner, Uría Menéndez, Madrid.

**Ten Years of Spanish Case Law on the New York Convention**

**Maria Nicole Cleis**, Chargée d'enseignement, University of Neuchâtel.

**Arbitration and the Enforcement of Foreign Awards in Switzerland**

**Federico Banti**, Partner, Osborne Clarke, Milan & **Eva de Gotzen**, Senior Lawyer, Ph.D., Osborne Clarke, Milan.

**Recognition and Enforcement of Foreign Arbitral Awards in Italy: the Relationship among the Italian Procedural Civil Code, the 1958 New York Convention and the Regulation (EU) n. 1215/2012**

**Paschalis Paschalidis**, Référéndaire, Court of Justice of the European Union & **Jonathan Wildemeersch**, Référéndaire, Court of Justice of the European Union.

**EU Law Challenges to the Enforcement of Arbitral Awards**

### PARALLEL SESSION B

Room E-18, Building E

#### Europe (II)

**Moderator: Gonzalo Stampa**, Director, Corte Civil y Mercantil de Arbitraje, Madrid.

**Speakers:**

**Natalia I. Gaidenko Shaer**, Senior Researcher, Institute of Legislation and Comparative Law, Deputy Head of COMEDIARS, Moscow.

**The Russian Federation and the New York Convention**

**Katažyna Mikša**, Associate Professor, Mykolas Romeris University.

**Enforcement of Foreign Arbitral Award in Lithuania - GAZPROM Case from a National Perspective**

**Attila Nagy**, Legal advisor, Local administration, City of Subotica, Serbia.

**Recognition and Enforcement of Arbitral Decisions in Post-Conflict Societies**

**Fabricio Fortese**, LL.D. Candidate, Stockholm University.

**The Relationship between the New York Convention and other International Instruments on Jurisdiction**

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11:30 - 13:00

## NATIONAL AND REGIONAL APPROACHES TO THE NY CONVENTION

Particular attention to emerging countries

### PARALLEL SESSION C

Room G-15 Building G

#### Asia and Africa

**Moderator:** **Julián Aguilar**, Partner, Legalsur, Seville and Part-time Professor, Loyola University Andalusia.

**Speakers:**

**Yeow-Choy Choong**, Professor, Faculty of Law, University of Malaya.

**Arbitrating and Enforcing Foreign Awards in the ASEAN Region: Confronting the Perennial Issues**

**Maria L Rubert**, Partner, United Advocates, Dubai.  
**New York Convention in the UAE, Pass or Fail?**

**Wasiq Abass**, Dept. of Legal Studies, Central European University, Budapest.

**Public Policy Exception in India: A Tale of Turbulent Past and a Promising Future**

**Reyadh M. Seyadi**, Assistant Professor, University of Bahrain.

**Public Policy as a Ground to Refuse Recognition and Enforcement of Foreign Arbitral Awards under the 1958 New York Convention in the Arab Gulf States**

**Abayomi Okubote**, Ph.D. Student, Queen's University, Kingston.

**60 Years of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards: Are we there yet in Africa?**

### PARALLEL SESSION D

Room G-16, Building G

#### America

**Moderator:** **Patricia Saiz**, Associate Professor and Director of International Relations, ESADE, Barcelona.

**Speakers:**

**Juan Antonio Gaviria Gil**, Professor, Universidad Pontificia Bolivariana, Medellín.

**The Conflict Between the New York Convention and the "Acción de tutela" against Colombian Arbitral Awards or against Judgments on Foreign Arbitral Awards**

**Christa Mueller**, Partner, Mueller Abogados, Mexico D.F.

**Duty of the Judges to Apply Conventionality Control and the Struggle of the Application of the New York Convention in Mexico**

**Juan Carlos Herrera**, Master in International Dispute Settlement (MIDS), Geneva.

**Disregard of the New York Convention in Ecuador: Hurdles and Hazards of the Recognition and Enforcement of Foreign Arbitral Awards**

**Camilo Valenzuela Bernal**, Assistant Professor, Externado University, Bogotá.

**The Execution of Arbitral Awards Annulled in Colombia through the Tutela Action**

13:00 - 14:15 > Lunch  
(Executive Room, Building F)

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14:15 - 15:45

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**THE NY CONVENTION  
AND INVESTMENT ARBITRATION**

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**PARALLEL SESSION A**

Room G-01, Building G

**Applicability of the NY Convention  
to Investment Treaty Awards**

**Moderator:** **Erica Stein**, Partner, Dechert, Brussels / Paris.

**Speakers:**

**Anna Joubin-Bret**, The Secretary of UNCITRAL.  
**Consideration of ISDS reform by UNCITRAL, status and impact study on the New York Convention**

**José Luis Gómara**, State Attorney, Spanish Treasury, Ministry of Economy, Industry and Competitiveness.  
**The Envisioned Permanent Investment Tribunal and the New York Convention**

**Derek Smith**, Partner, Foley Hoag, Washington D.C.  
**Applicability of the New York Convention to Investment Treaty Awards**

**Gabriel Bottini**, Partner, Uría Menéndez, Madrid.  
**Recognition and Enforcement of Investment Arbitral Awards under the New York Convention and EU Law**

**John Adam**, Counsel, Latham & Watkins, Paris.  
**The New York Convention and Corruption in Treaty Arbitration**

**Carlo De Stefano**, Lecturer, Università Roma Tre & BonelliErede Studio Legale, Milan.  
**The Circulation of International Investment Awards under the New York Convention**

**PARALLEL SESSION B**

Room E-18, Building E

**State Responsibility for Breach.  
A World Investment Court**

**Moderator:** **Javier Diez Hochleitner**, Of counsel, Baker McKenzie, Madrid and Chaired Professor, Autonomous University of Madrid.

**Speakers:**

**Álvaro Galindo**, International Counsel, Dechert, Washington.

**The World Investment Court and Enforcement of Awards under the New York Convention**

**Catharine Titi**, Tenured Research Scientist, French National Center for Scientific Research, Paris & CREDIMI, University of Burgundy, Dijon.

**Enforcement of Decisions of an International Investment Court**

**Yannik Radi**, Professor of International Law, University of Louvain.

**State Responsibility and Non-Compliance with the New York Convention in Investor-State Arbitration**

**Zdenek Nový**, Assistant Professor, Masaryk University, Brno.

**The Legal Consequences of the BIT Provisions Referring to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards and its Breach by the Contracting State**

**Christine Sim**, Research Associate, Centre for International Law, Singapore.

**Architecture of a World Investment Court: Where does the New York Convention fit in?**

**15:45 - 16:15 > Coffee Break**  
(Executive Room, Building F)

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**16:15 - 17:00**

Executive Room, Building F

**PLENARY SESSION**

**Round Table Discussion on the NY Convention as a Framework for the Development of Reforms as Currently Considered by UNCITRAL**

Moderator:

**Anna Joubin-Bret**, The Secretary of UNCITRAL.

Members of the Roundtable:

**Gabriel Bottini**

**Álvaro Galindo**

**Fabien Gélinas**

**José Luis Gómara**

**17:00 - 17:20**

Executive Room, Building F

**CLOSING SPEECHES**

**Anna Joubin-Bret**, The Secretary of UNCITRAL.

**Javier Gassó Matoses**, Deputy, Director-General for the United Nations, Spanish Ministry of Foreign Affairs and Cooperation.

**Carlos García Alonso**, Vice President of Research, Loyola University Andalusia.

**Carlos de los Santos**, Vicepresident, Club Español del Arbitraje

**EXTENDA representative**

**Ángel Sánchez Freire**, -40 Conference co-director.

**Ana Mercedes López Rodríguez &**

**Katia Fach Gómez**, Conference Directors.



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(Avda. Manuel Siurot, 25)
- 5. Hotel Silken Al-Andalus**  
(Avda. de la Palmera, s/n - Bellavista)
- 6. Wednesday cocktail**  
Restaurante La Raza.  
(Avda. Isabel la Católica, 2)
- 7. Thursday Dinner**  
Restaurante Abades Triana  
(Calle Betis, 69)
- 8. Murillo exhibition**  
Espacio Santa Clara  
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