



TWO HOT TOPICS ON THE TRANSNATIONALISATION OF INTERNATIONAL ARBITRATION

28 November 2013

14:30 – 18:30

Palazzo Turati – 1st floor

Via Meravigli, 9/B

Milan

a “*Focus on*” Seminar and Cocktail

The **seminar** will deal with two important areas where the practice of international arbitration is undergoing evolutionary change and seeks to identify and describe the direction of that change. The first concerns **public policy in international arbitration**: which rules should arbitrators and counsel be sure to take into account in order to produce an enforceable award? Secondly, which rules apply to the **interpretation of the contract** which is the subject of a dispute? Do international arbitrators use rules of interpretation which are different from those of the applicable convention or state law?

A Cocktail will follow

Please register at events@forumarbit.org. Registration is on a first-come first-served basis. The seminar is free of charge and will be held in English; no translation services will be provided. The cocktail will be subject to a small charge. Please confirm if you wish to attend the cocktail when registering for the seminar. All participants are welcome and attendance must be confirmed by 21 November.

The seminar is organized with the support of



MILAN
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TWO HOT TOPICS ON THE TRANSNATIONALISATION OF INTERNATIONAL ARBITRATION

14.30/15.00 Registration

15.00 Welcome and Introduction

- **Stefano Azzali**, Secretary General, Milan Chamber of Arbitration
- **Andrew G. Paton**, De Berti Jacchia Franchini Forlani, Rome, Co-chair Arblt

15.10/16.10 First Session

WHICH CONCEPT OF PUBLIC POLICY COUNTS IN AN INTERNATIONAL COMMERCIAL ARBITRATION?

Moderator – **Andrew Paton**

- Public policy in the common law tradition

Dominic Spenser Underhill, Spenser Underhill Newmark, London

- Public policy in the civil law tradition

Eduardo Silva Romero, Dechert LLP, Paris

- Is a concept of "truly international" public policy on the horizon in international arbitration ?

Maria Beatrice Deli, Secretary General AIA and ICC Italy, Rome

Coffee break

16.30/17.30 Second Session

AND WHOSE RULES APPLY TO THE INTERPRETATION OF CONTRACTS?

Moderator – **Cecilia Carrara**, Legance, Rome; Advisory Board, Arblt

- A set of international rules of interpretation: do they exist and where can we find them?

Massimo Benedettelli, Freshfields, Milan

- Are arbitrators developing a universal concept of good faith in international commercial arbitration?

Luca Radicati di Brozolo, Radicati di Brozolo Sabatini, Milan

- The development of precedent through the publication of 'anonymous' awards

Paolo Michele Patocchi, Lenz & Staehelin, Geneva

DISCUSSION AND QUESTIONS FROM THE AUDIENCE

18.15 Closing remarks

Cecilia Carrara

18.30 Cocktail

A cocktail will follow at a location near to the seminar venue.