



INTERNATIONAL CENTRE  
FOR DISPUTE RESOLUTION®

Centro de Arbitraje  
y Conciliación

Cámara  
de Comercio  
de Bogotá

# AGENDA



## The 5<sup>th</sup> ICDR® & CCB International Arbitration & Mediation Conference

*The Future of International Commercial Arbitration*

### WHO SHOULD ATTEND?

Attorneys, corporate counsel, business people, arbitrators and mediators and others involved in international commercial transactions and the design of conflict-management policies will benefit from learning the best practices and tips utilized by experienced international business practitioners.

**SIMULTANEOUS  
TRANSLATION AVAILABLE IN  
ENGLISH-SPANISH.**

### OCTOBER 18, 2016 | BOGOTÁ D.C., COLOMBIA

The International Centre for Dispute Resolution® (ICDR), the international division of the American Arbitration Association® (AAA®), and the Center for Arbitration and Conciliation of the Chamber of Commerce of Bogotá (CAC CCB) have again convened international arbitration and mediation experts to explore the latest developments and conflict-management options for today's complex global commercial transactions.

This conference's special focus will be on international commercial arbitration, examining trends and developments in international infrastructure and construction arbitration, and the role and powers of the arbitrator in international arbitration. Additional sessions will focus on witness and expert testimony, and the final session will feature a panel of leading international arbitration institutes providing updates and reports regarding their international arbitration services.

A moderator will introduce each session, and the speakers will discuss the approaches and "best practices" that they employ, followed by topic-specific presentations and discussions. Additional topics and questions will be submitted by the audience, and an audience participation with a question-and-answer period ends each session.

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Keep up to date on agenda and program by following Twitter: #ICDR and @ICDRorg.

## CONFERENCE SPONSORS

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## COOPERATING ENTITIES

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AMERICAN ARBITRATION ASSOCIATION®

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## 2016 CONFERENCE ORGANIZING COMMITTEE

### CONFERENCE CHAIR

**Luis Alfredo Barragan**, Brigard & Urrutia; Bogotá

### ASSISTED BY

**Luis M. Martinez**, Vice President, International Centre for  
Dispute Resolution; New York

**Mauricio González Cuervo**, Director, Center for  
Arbitration and Conciliation of the Chamber of  
Commerce of Bogotá; Bogotá

### The program will be transmitted internationally to the following law schools:

American University/University Of Miami  
Columbia Law School  
Florida International University  
Pepperdine University School of Law  
Queen Mary and Westfield College  
St. John's University School of Law

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## OCTOBER 18, 2016

08:15-08:45	<b>Registration and Coffee</b>	
08:45-09:30	<b>Welcome Remarks</b> <b>Mónica De Greiff</b> , President of the Chamber of Commerce of Bogotá; Bogotá <b>Hon. Kevin Whitaker</b> , U.S. Ambassador to Colombia; Bogotá <b>Hon. Jorge Eduardo Londoño</b> , Minister of Justice Colombia <b>India Johnson</b> , President and Chief Executive Officer, International Centre for Dispute Resolution/ American Arbitration Association; New York	
09:30-11:00	<b><u>Session I</u>    Understanding the Role and Power of the International Arbitrator</b>  <p>With the revisions of the <i>ICDR Arbitration Rules</i> and the developments in the field, are we seeing an expansion of the power of international arbitrators sitting in international arbitrations? This panel will discuss the current trends and developments regarding the role and power of international arbitrators and best practices regarding the scope of their authority and dealing with specific issues that arise in an international arbitration. With an eye to the future, the panelists will speak about techniques for improving efficiency and a greater use of technology for saving time and money during an international arbitration.</p> <p><b>Topics include:</b></p> <ul style="list-style-type: none"> <li>• Managing an efficient international arbitration.</li> <li>• Conflicts of interest and disclosures.</li> <li>• Managing parties expectations.</li> <li>• Managing the exchange of information ("discovery").</li> <li>• Adverse inferences; disqualification of counsel; subpoenas.</li> <li>• <i>Iura Novit Curia</i>— knowing the law; applying the law.</li> <li>• Raising legal issues <i>sua sponte</i>.</li> <li>• Emergency relief.</li> <li>• International appellate arbitrators.</li> <li>• Technology: saving time and money.</li> <li>• Drafting the award; deliberations; dissents and concurrences.</li> </ul>	
	<b>SPEAKERS</b>  * <b>Arif Ali</b> , Dechert LLP; Washington, D.C. * <b>Sandra González</b> , Ferrere Abogados, Montevideo * <b>Jonathan Hamilton</b> , White & Case LLP; Washington, D.C. * <b>Quinn Smith</b> , GST LLP; Miami	<b>MODERATOR</b>  * <b>John Fellas</b> , Hughes Hubbard & Reed LLP; New York
11:00-11:30	<b>Break (Coffee/Tea)</b>	

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11:30-13:00

### **Session II International Arbitration of Construction and Infrastructure Cases**

International construction arbitration continues to grow, leading the ICDR's caseload five of the last six years. This panel will focus on international arbitration as a conflict-management tool increasingly being utilized to resolve disputes in this growing and evolving industry. The experts will discuss the unique aspects of issues that may arise during the course of an international arbitration of a dispute stemming from a construction or infrastructure project.

#### **Topics include:**

- Challenges in handling construction cases and unique aspects of construction arbitration.
- ADR options in large-scale projects with parallel disputes.
- Selecting the arbitrator or mediator.
- Preparing for the arbitration or mediation.
- Construction and infrastructure arbitration and mediation; best practices and issues to consider.
- The role of experts.
- The use of technology in construction cases.

#### **SPEAKERS**

- \* **Luis Enrique Graham**, Hogan & Lovells LLP; Mexico City
- \* **Luis O'Naghten**, Baker & McKenzie LLP; Miami
- \* **David Orta**, Quinn Emanuel LLP; Washington, D.C.
- \* **Howard S. Zelbo**, Cleary Gottlieb Steen & Hamilton LLP; New York

#### **MODERATOR**

- \* **Luis Alfredo Barragan**, Brigard & Urrutia; Bogotá

13:00-14:30

### **Lunch**

14:30-16:00

### **Session III Witness and Experts in International Arbitration**

This international panel will discuss and explore the best practices, trends and potential pitfalls regarding witness statements and expert reports. This session will explore all of the related issues regarding the preparation of witness testimony and expert reports discussing their admissibility including the weight given to the testimony by the arbitrators. Further discussion will focus on the process and techniques for the oral examination and cross examination of the experts and witnesses in an international arbitration.

#### **SPEAKERS**

- \* **Juan Pablo Cardenas**, Independent Arbitrator; Bogotá
- \* **Nicolás Gamboa**, Gamboa & Chalela Abogados; Bogotá
- \* **Jose Antonio Rivas**, Arnold & Porter LLP; Washington, D.C.
- \* **Laurence Shore**, Herbert Smith Freehills LLP; New York

#### **MODERATOR**

- \* **Dietmar W. Prager**, Debevoise & Plimpton LLP; New York

16:00-16:30

### **Break (Coffee/Tea)**

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16:30-18:00

### **Session IV The 2016 International Institutional Arbitration Reports and Important Case Updates**

Leading international arbitration institutions and experts will provide updates and reports on recent important topics, cases and new initiatives relating to international ADR. The panel will provide the audience with the latest information, developments and trends covering key legal practice issues and procedural developments for 2016.

#### **Topics include:**

- Institutional reports and updates on initiatives taking place in international arbitration.
- The role of the administering institution and its impact on the arbitration process.

#### **SPEAKERS**

- \* **Ruth Stella Correa**, Former Judge of the Council of State of Colombia and Former Minister of Justice for Colombia
- \* **Gonzalo Flores**, International Centre for Settlement of Investment Disputes; Washington, D.C.
- \* **Mauricio González Cuervo**, Director, Center for Arbitration and Conciliation of the Chamber of Commerce of Bogotá; Bogotá
- \* **Adriana Polania-Polania**, Secretary General, Inter-American Commercial Arbitration Commission; Bogotá

#### **MODERATOR**

- \* **Luis M. Martinez**, Vice President, International Centre for Dispute Resolution; New York

18:00-18:15

### **Closing Remarks**

**Luis M. Martinez**, Vice President, International Centre for Dispute Resolution; New York

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## REGISTRATION INFORMATION

### Registration Fees

REGISTRATION FEES	
Students	USD \$30
ICDR or CCB arbitrators, secretaries, and conciliators	USD \$100
Non-member	USD \$150

Full payment must be received in order to process registration. Conference registration fees include admission to all sessions, course materials, luncheon, and breaks as outlined in the program agenda.

**Cancellation Policy.** Please note that space availability is limited. Should you need to cancel your registration, a refund of 50% of the registration fee paid is available until **October 5, 2016**. We regret that no refunds can be made after that date. *Substitutions can be made at any time.*

**Language.** English and Spanish. *Simultaneous translation will be available.*

**Materials.** Materials will be available at the conference and on the conference website (close to the conference date).

## VENUE

### Cámara de Comercio de Bogotá – Sede Chapinero

CALLE 67 #8-32, Auditorium  
Bogotá D.C., Colombia

## CLE CREDIT INFORMATION

The International Centre for Dispute Resolution/American Arbitration Association are not offering CLE for this conference. Upon request, a Uniform Certificate of Attendance can be provided which may be used to submit the program upon in the attorney's jurisdiction where allowed.

## HOW TO REGISTER

You may register with the ICDR or the Arbitration and Conciliation Center of the Chamber of Commerce of Bogotá.

### To register with the ICDR:

**REGISTER ONLINE:** at <https://www.aaau.org/courses/the-5th-icdr-ccb-international-arbitration-mediation-conference-the-future-of-international-commercial-arbitration/ed6216002o/>

**For more information, please contact Jason Cabrera by phone at +1 212.484.3207 or by email at [CabreraJ@adr.org](mailto:CabreraJ@adr.org).**



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## To register with the CAC CCB:

Registration fees can be paid by wire transfer or at any CCB commercial branch. After you have paid your fee, please send your scanned receipt with the registration form below to [wendy.bernal@ccb.org.co](mailto:wendy.bernal@ccb.org.co).

**Important Note:** Registration fees paid in Colombia must be in COP:

REGISTRATION FEES	
Students	\$95,000 + IVA COP
Members of CAC CCB Lists (arbitrators, conciliators, secretaries)*	\$290,000 + IVA COP
Público General	\$390,000 + IVA COP

\*Please show your CCB card that identifies you as member of the list.

## REGISTRATION FORM

Please type or print.

Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Country: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Method of Payment:    Wire Transfer    Payment in CCB Branch

Registration Fee:    Student    Member of CCB List    Non-Member

Signature: \_\_\_\_\_

### WIRE TRANSFER

(Bogotá or any city of Colombia)

BBVA Cuenta Corriente

Account No. 309010056

To: Cámara de Comercio de Bogotá

### CCB'S COMMERCIAL BRANCHES

Bogotá

Chapinero: Calle 67 # 8-32, Piso 1

Salitre: Av. El Dorado # 68D-35, Piso 2

Norte: Carrera 15 # 94-84

Cedritos: Av. 19 # 140-29

For more information, please contact  
Isabel Victoria Gaitán.

Email: [isabel.gaitan@ccb.org.co](mailto:isabel.gaitan@ccb.org.co)

Center for Arbitration and Conciliation  
of the Chamber of Commerce of Bogotá  
CALLE 67 # 8-32, Piso 3

**Important Note:** Please ask for "5a Conferencia Internacional del ICDR y la CCB" and mention the rate that you are going to pay.