

ICMA XXII IN DUBAI

FIRST TIME IN THE MIDDLE EAST

November 5 to 10, 2023

Dubai, UAE

www.icma2023.com

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Table of Content

Introduction by the Chairman of DIAC	4
Introduction by the Chairman of ICMA	5
Committees	8
General Information	9
Programme Overview	10
Sport Events	11
Social Programmes	12 - 13
Social Day Out Programme	15
Spouse Programme	16 - 17
Working Programme	19



Dubai International Arbitration Centre (DIAC)

is an autonomous arbitral institution
established in 1994.

For three decades, DIAC has offered alternative
dispute resolution services, adhering to the
highest standards of excellence.

DIAC operates independently, ensuring integrity and
equity in all proceedings. Our mission: "To provide
unmatched ADR services by
embracing Excellence as a Standard, Integrity as a
Compass and Equity as a Principle,"
reflects our dedication to serve the legal and
global business communities with impartiality
and professionalism.

www.diac.com



Welcome to ICMA XXII: Charting the Future of Maritime Arbitration

By H.E. Dr Tariq Al Tayer

Chairman Dubai International Arbitration Centre

Welcome to the vibrant city of Dubai, a melting pot of innovation and tradition, where the ancient dunes meet futuristic skylines. As we gather for the 22nd International Congress of Maritime Arbitration (ICMA), we're not just at a crossroads of geography but at the forefront of change in the maritime sector.

Dubai, a city that has transformed itself into a global hub, represents the spirit of progress and resilience that defines the maritime industry. In our lively metropolis, we find a unique synergy of culture, commerce, and cutting-edge technology.

ICMA XXII is more than just a congress; it's a beacon for the future of maritime arbitration. Here, we convene to navigate the complexities of maritime disputes, steering towards resolutions that are both just and efficient. The maritime sector, the lifeblood of global trade, is evolving rapidly. Advances in technology, from autonomous vessels to blockchain in shipping, are reshaping the landscape. The importance of Environmental, Social, and Governance (ESG) principles is growing, urging us to consider sustainability not as an option but as an imperative.

Dubai, with its ambitious vision, mirrors this shift towards sustainability. The city's strides in renewable energy, commitment to the 'Net Zero by 2050' initiative, and hosting the upcoming COP28 all speak to its dedication to a greener future. This aligns seamlessly with the maritime sector's journey towards sustainability, highlighting the need for eco-friendly practices and green technology in shipping.

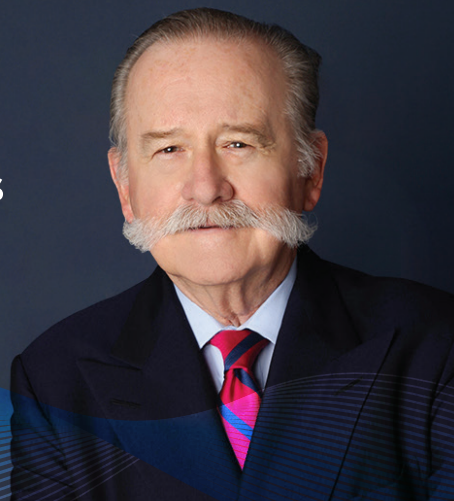
As we start our discussions, let's remember that we're not just resolving disputes; we're shaping the future of an industry that connects continents, cultures, and communities.

Welcome to ICMA XXII. Welcome to the future of maritime arbitration.

ICMA Over the Years

By David Martowski

Chairman ICMA Steering Committee



Welcome to ICMA XXII

By way of brief background, ICMA was launched in 1972 by its founding father, Cedric Barclay, President of the London Maritime Arbitrators Association. He and fellow London arbitrators Clifford Clark and Donald Davies, the Presidents of the New York SMA and Paris Chambre Arbitrale Maritime, were attending a meeting of international commercial arbitrators in Moscow. They were invited by Soviet maritime arbitrators to informally discuss maritime arbitration and as it turned out, this constituted ICMA's first meeting.

The idea soon spread and through the support of Cedric Barclay's contacts in the Greek shipping community, the next Congress held in Athens in 1974 was attended by international maritime arbitrators, lawyers and shipping executives from twenty nations. ICMA Congresses followed over the years in Santa Margarita, London (twice), New York (twice), Monte Carlo, Casablanca, Madrid, Hamburg (twice), Vancouver (twice), Hong Kong (twice), Paris, Auckland, Singapore, Copenhagen and most recently in 2020, Rio de Janeiro.

The Congresses provide an unique opportunity for delegates to deliver papers and discuss a variety of topical subjects and issues involving international maritime arbitration, beginning at each Congress with the presentation of the Cedric Barclay Memorial Lecture in honor of ICMA's founding father.

Our common interest is resolving disputes in the most global of industries and the papers and discussions that follow, transcend national and political issues, often paving the way for more uniformity.

ICMA is run by a Steering Committee consisting of one permanent member each from London and New York, the immediate past host, and the host of the coming venue. The Committee Chair is rotated between the two permanent members from London and New York.

The Steering Committee's main functions are to appoint a chairperson of the Topics & Agenda Committee for each ICMA, select the next speaker for the Cedric Barclay Memorial Lecture, and select the venue for the next ICMA.

ICMA XXI held in Rio de Janeiro from March 8-13, 2020, was a great success. 110 papers chosen from around 200 submissions (including a large Brazilian contingent) which corresponded to 5 plenary sessions and 16 concurrent sessions. 95 papers were ultimately presented (some virtually) as a result of the COVID cancellations. Justice Ellen Gracie Northfleet, Former President of Brazil's Federal Supreme Court, presented the Cedric Barclay Memorial Lecture at the Opening Ceremony on Monday, March 9th. All who attended still speak with the fondest memories of a Congress that was remarkable for its organization, friendly atmosphere and excellent selection of papers. Thanks must go out to all involved locally on hosting such a memorable event.

Dubai and Singapore submitted outstanding bids to host ICMA XXII and the Steering Committee's decision was a difficult one. Dubai was announced as our next venue, the first Congress to be held in the Middle East, at the Closing Ceremony and Clive Aston passed on the Committee's Chairmanship to me.

The current Steering Committee is composed of me, Clive, previous Rio Host Committee Chair Camila Vianna Cardoso, and Rania Tadros, who chairs the Dubai Host Committee.

Rania, Richard Briggs, DIAC and Meeting Planners comprising the Dubai Host Committee have assembled an outstanding Congress and London's Daniella Horton again Chairs the Topics & Agenda Committee, which has selected excellent papers for presentation. The Hon. Sir Bernard Eder, Former Barrister and English High Court Judge, will present the Cedric Barclay Memorial Lecture.

The Steering Committee has received bids from Rotterdam and Singapore to host ICMA XXIII to be held in 2025/26 and will render its decision at our Closing Ceremony on Friday, November 10th.

You are sure to find ICMA a stimulating and enjoyable professional and social experience in wonderful and vibrant Dubai, as well as an unique opportunity to meet and share notes with the leading international maritime arbitrators, attorneys and shipping giants of our time.

Enjoy!

*"They're professional lawyers
with deep knowledge of the
law and local sensitivities."*

Chambers Global, 2023

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Winner - UAE Domestic Litigation Law Firm of the Year

Chambers Middle East Awards 2022

Winner for UAE Employment Law Firm of the Year

Chambers Middle East Awards 2022

Shortlisted for UAE Domestic Litigation Law Firm of the Year

Chambers Middle East Awards 2021

Winner - UAE Dispute Resolution Domestic Law Firm of the Year

Committees

Steering Committee



David Martowski
Chairman (USA)



Clive Aston
(UK)



Camila Cardoso
(Brazil)



Rania Tadors
(UAE)

Host Committee

H.E. Dr Tariq Al Tayer
Chairman Dubai International
Arbitration Centre (DIAC)

Rania Tadors
Vice Chair Host Committee

Mohamed El Hawawy
Joint Managing Partner
INCE & Co.

Omar Omar
Partner Head of the Transport
& Logistics Al Tamimi & co.

Hari Krishna
CEO
Nimble Legal

Richard Strub
Partner
HFW

David Leckie
Partner
Clyde & Co.

Adrian Chadwick
Partner
Hadeff & Partners

Jehad Kazim
Executive Director Dubai International
Arbitration Centre (DIAC)

Ritta Saoud
Events Manager Dubai International
Arbitration Centre (DIAC)

Alec Emmerson
Independent Arbitrator
ADR Management Consultancies

Wesley Wood
Partner Transport & Insurance
Al Tamimi & Co.

Jasmin Fichte
Managing Partner
Fichte & Co

Majid Bashir
Founder Bin Bashir Advocates
And Legal Consultants

Robert Lawrence
Partner
HFW

Richard Briggs
Chair Host committee
Member of DIAC Board of Director

Essam Al Tamimi
Chairman
Al Tamimi & Co

Charlotte Bijlani
Partner Watson Farley & Williams
(Middle East) LLP

Ann Mazzucco
Senior Legal Counsel
ADNOC

Alessandro Tricoli
Partner
Fichte & Co

Mark Lakin
Partner Stephenson Harwood
Middle East LLP

Abdelhak Attallah
Partner
Galadari Law

Topics & Agenda Committee

Daniella Horton (UK)

Berit Hedegaard (Denmark)

Carina Sabro (Denmark)

DIAC Support

Ritta Saoud

Nayiri Boghossian

Rochelle Cruz

Zain Makhoul

Sreekala Babu

Sarah Omran

Francheska Tiamson

Sunitha Thamattoor

Andrea Haidar

General Information



Registration Desk Opening Hours:

DAY 1 | SUNDAY 5 NOVEMBER 2023: From 17:00 at the Terrace between the towers - Level 1

DAY 2 | MONDAY 6 NOVEMBER 2023: From 08:00 in the foyer area in front of the Godolphin Ballroom.



Internet Access:

Free Guest Wifi is available in the hotel – no password needed



Catering:

Lunch and coffee servings are included in the registration fees and are served in the foyer area of the Godolphin Ballroom.



Badges:

Your name badge is required to access the conference sessions, lunch and coffee breaks, the exhibition area, and social events. Please wear your name badge throughout the conference.



City Information:

Official tourist information site: www.visitdubai.com



Emergency Contacts:

Contact the police by calling **999** to report emergencies.

In a medical emergency call **998** for an ambulance.

In a fire emergency call **997**



Metro Station Access:

Direct connectivity to Emirates Towers Metro Station and Museum of the Future from the hotel via an air-conditioned bridge



Taxi Service:

You can find taxis outside by the entrance of Jumeriah Emirates Towers Hotel.

You can also download Uber or Careem apps.



Conference Dress Code

Business attire



Logistical Arrangement:

Events@diac.com

Programme Overview

DAY 1 | SUNDAY 5 NOVEMBER 2023

- 09:00 - 13:00 Pre-conference golf tournament
- 13:00 - 15:00 Golf lunch
- 19:00 - 21:00 Opening Reception
Jumeirah Emirates Towers

DAY 2 | MONDAY 6 NOVEMBER 2023

- 09:00 - 10:30 Opening Session
- 10:30 - 11:00 Refreshment Break
- 11:00 - 12:30 Plenary 1 – Global Voices
- 12:30 - 14:00 Lunch
- 14:00 - 15:30 Plenary 2 – Current Arbitration Issues
- 15:30 - 16:00 Refreshment Break
- 16:00 - 17:30 Plenary 3 – Liability and Limitation
- 18:00 Departure to Dhow Cruise Dinner
- 19:00 - 22:00 Dhow Cruise Dinner - Dubai Marina Harbour

DAY 3 | TUESDAY 7 NOVEMBER 2023

- 09:00 - 10:30 Plenary 4 – Current Arbitration Issues
- 10:30 - 11:00 Refreshment Break
- 11:00 - 12:30 Concurrent 1: National Arbitration Issues (Europe, MENA and North America)
Concurrent 2: Charterparty Issues
- 12:30 - 14:00 Lunch
- 14:00 - 15:30 Concurrent 3: National Arbitration Issues (South America, and Asia)
Concurrent 4: Arrest, Sale, Enforcement, and Insolvency
- 15:30 - 16:00 Refreshment Break
- 16:00 - 17:30 Plenary 5 – Carbon Regulation and Sustainability
- 18:00 Departure to Dinner
- 19:00 - 22:00 Dinner - Bar Du Port Dinner - Dubai Harbour Pier Club - Dubai Marina

DAY 4 | WEDNESDAY 8 NOVEMBER 2023

- 09:00 - 15:30 Day at Leisure
- 15:30 Departure to the desert
- 16:00 - 19:00 Social day out – Al Waha – Exclusive Desert Experience

DAY 5 | THURSDAY 9 NOVEMBER 2023

- 09:00 - 10:30 Plenary 6 – Current Arbitration Issues
- 10:30 - 11:00 Refreshment Break
- 11:00 - 12:30 Concurrent 5: Bill of Lading and Related Issues
Concurrent 6: Technology and AI in Arbitration
- 12:30 - 14:00 Lunch
- 14:00 - 15:30 Concurrent 7: Bill of Lading Issues and Related Issues
Concurrent 8: New Energies, Offshore and Environmental
- 15:30 - 16:00 Refreshment Break
- 16:00 - 17:30 Plenary 7 – Sanctions
- 19:00 - 22:00 Gala Dinner - Golophin Ballroom

DAY 6 | FRIDAY 10 NOVEMBER 2023

- 09:00 - 10:30 Plenary 8 – Local Industry Session
- 11:00 - 11:30 Refreshment Break
- 11:30 - 12:30 Closing Ceremony
- 12:30 - 14:30 Lunch



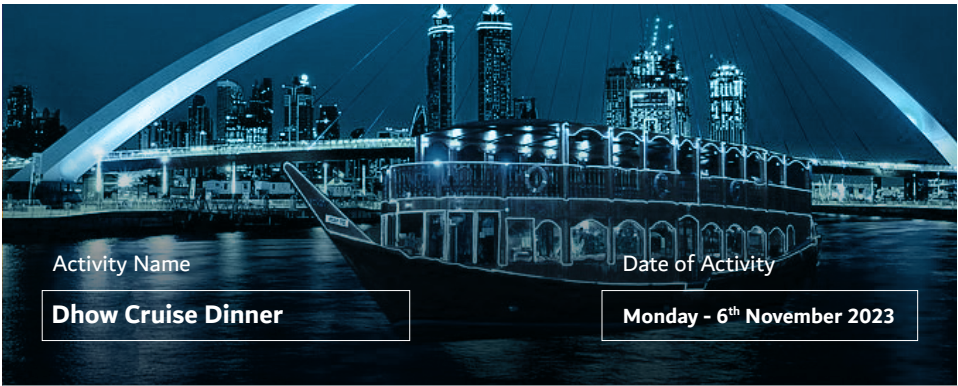
Activity Name

Golf - Trump International Golf club

Date of Activity

Sunday - 5th November 2023

Tee Time Booked	<ul style="list-style-type: none">09:10 - x 409:20 - x 409:30 - x 2
Departure Time	07:45
Meeting Point	Please be at the hotel lobby at least 15 minutes before the departure time
What's Included	<ul style="list-style-type: none">Hotel pick-up and drop-offKnowledgeable English speaking tour guideGreen Fee includes 18 holes of golfShared carts with waterAccess to practice facilities 1 hour prior to playClub RentalsGolf shoesGolf Balls (1 sleeve of 3 balls)
What to Bring	Sunblock, sunglasses and hat
Food & Beverage	Lunch is not included in this tour but there will be a stop for lunch following the game which must be paid independantly following the meal. Water is provided in the bus.
What to Wear	Please wear appropriate golf attire and shoes.



Activity Name

Dhow Cruise Dinner


Date of Activity

Monday - 6th November 2023


Activity Duration	4-5 hours (including transfer time)
Departure Time	18:30
Meeting Point	Bus pick-up station located in the foyer area of the Godolphin Ballroom. Please be there 15 minutes before the departure time.
What's Included	<ul style="list-style-type: none">◦ Dinner transfer◦ Marina Cruise Experience◦ Food & Beverage
What to Bring	Camera
What to Wear	Casual. It is advised to bring a jacket with you as it might be chilly.
Address	Dubai Marina Harbour P1 – GATE AA

Social Programme

Tuesday - 7th November 2023

	
Activity Name	Date of Activity
Bar Du Port Dinner	Tuesday - 7 th November 2023
Activity Duration	4-5 hours (including transfer time)
Departure Time	18:15
Meeting Point	Bus pick-up station located in the foyer area of the Godolphin Ballroom. Please be there 15 minutes before the departure time.
What's Included	<ul style="list-style-type: none">• Dinner transfer• Food & Beverage
What to Bring	Camera
What to Wear	Smart/Elegant Dress code (Short, beach wear, sport wear or flip flops are not permitted)
Address	Dubai Harbour Pier Club - Dubai Marina - Dubai

Tuesday - 9th November 2023

	
Activity Name	Date of Activity
Gala Dinner at the Jumeirah Emirates Towers- Godolphine Ballroom	Tuesday - 9 th November 2023
Activity Duration	3 hours
Time	19:00 – 22:00
What To Wear	Black Tie – Business Suite – National Attire

DUBAI BUSINESS EVENTS

Dubai Business Events is the city's official convention bureau, supporting some of the world's most prestigious business events taking place in the emirate. As part of the Department of Economy and Tourism, we offer free and impartial advice, as well as a wide range of support and services to international business event organisers in planning international meetings, incentives, conferences and exhibitions. With in-depth knowledge of Dubai, its unique culture, world class convention venues and the specific requirements of the business event industry, we pride ourselves on delivering support tailored to your specific needs and unique event requirements.

askdbe@dubaidet.ae

dubaibusinessevents.com



Activity Name

Dubai Desert Experience

Date of Activity

Wednesday - 8th November 2023

Activity Duration	7- 8 hours
Departure Time	15:30
Meeting Point	Bus pick-up station located in the foyer area of the Godolphin Ballroom. Please be there 15 minutes before the departure time.
What's Included	<ul style="list-style-type: none">○ Hotel pick-up and drop-off in a private 4-wheel drive vehicle.○ Groups of 5 per vehicle.○ Knowledgeable English speaking Safari guide○ Exciting dune drive, wildlife spotting and camel ride.○ Sunset stop and numerous photo opportunities○ Delicious BBQ dinner○ Unlimited beverages○ Music and entertainment
What to Bring	Camera, sunblock, sunglasses and a hat.
What to Wear	We advise to wear comfortable shoes. It is also advised to bring a jacket with you as it might be chilly.
Other	<p>Desert Safari Dubai - Dos and Don'ts</p> <ul style="list-style-type: none">○ Before going on a dune drive, be sure to have a light lunch since being full might make you feel nauseous○ Pay attention to your tour guide's explanations regarding safety precautions○ If you're pregnant, have a heart problem, or are susceptible to motion sickness, tell your driver so that he can ensure that you get to the campsite directly without the dune drive○ Always keep yourself well-hydrated○ Never go too far from your vehicle or camp



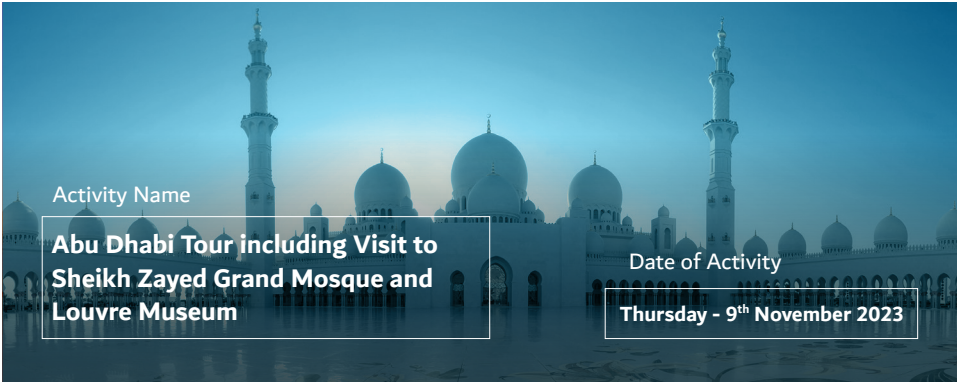
Activity Name

Modern and Traditional Dubai Tour

Date of Activity

Tuesday - 7th November 2023

Activity Duration	Approximately 8 hours
Departure Time	08:30
Meeting Point	Bus pick-up station located in the foyer area of the Godolphin Ballroom. Please be there 15 minutes before the departure time.
What's Included	<ul style="list-style-type: none">○ Hotel pick-up and drop-off○ Knowledgeable English speaking tour guide○ Entry ticket to At The Top, Dubai Mall○ Explore the Al Fahidi Historical Neighbourhood○ An abra ride across the creek○ Time to shop at the Gold and Spice Souqs○ NOTE: Suggested to have cash on hand for any purchases. Remember to barter!○ Entry ticket to Museum of the Future
What to Bring	Sunblock, sunglasses and hat
Food & Beverage	Lunch is not included in this tour but there will be a stop for lunch which must be paid independantly following the meal. Water is provided in the buses
What to Wear	We advise to wear comfortable shoes and all guests must adhere to the local dress code requirements (modest clothing with shoulders and knees covered).



Activity Name

Abu Dhabi Tour including Visit to Sheikh Zayed Grand Mosque and Louvre Museum

Date of Activity

Thursday - 9th November 2023

Activity Duration	Approximately 8 hours
Departure Time	09:00
Meeting Point	Bus pick-up station located in the foyer area of the Godolphin Ballroom. Please be there 15 minutes before the departure time.
What's Included	<ul style="list-style-type: none">○ Hotel pick-up and drop-off○ Knowledgeable English speaking tour guide○ Entry to Sheikh Zayed Grand Mosque○ Entry ticket to The Louvre Museum○ Time at leisure to explore both attractions
What to Bring	Sunblock, sunglasses and hat
Food & Beverage	Lunch is not included in this tour but there will be a stop for lunch which must be paid independantly following the meal. Water is provided in the buses.
What to Wear	We advise to wear comfortable shoes and all guests must adhere to the local dress code requirements (modest clothing with shoulders and knees covered). Sheikh Zayed Grand Mosque has a strict dress code policy.



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Working Programme

DAY 1

SUNDAY 5 NOVEMBER 2023

09:00 – 13:00

Pre-conference golf tournament

Trump International Golf Club

(Note: participation in the golf tournament is optional and requires separate payment)

13:00 - 15:00

Golf lunch

A reservation has been made at the 71 Sport BAR restaurant in Trump International Golf Club, featuring an à la carte menu. Please be aware that the cost of lunch is not included in the purchased golf ticket and should be settled directly at the restaurant

19:00 – 21:00

Opening reception

Jumeirah Emirates Towers

Terrace Between the Towers – Level 1

DAY 2

MONDAY 6 NOVEMBER 2023

Opening Session

09:00 – 10:30

Welcome from ICMA

Richard Briggs, Chair of the ICMA Host Committee,
Member of DIAC Board of Directors and Executive
Partner of Hadeef & Partners

David Martowski, Chair of the ICMA Steering Committee

Welcome from Dubai International
Arbitration Centre (DIAC)

Jehad Kazim, Executive Director of DIAC

Keynote speech

Mohammed Al Muallem,
Executive Vice President of DP World

Introduction

Rania Tadros, Vice Chair of the ICMA Host Committee,
Office Managing Partner, Stephenson Harwood Middle
East LLP

Must arbitrators apply the law?
Cedric Barclay memorial lecture

Sir Bernard Eder, International Arbitrator.
Former Judge of the High Court of Justice in England
and Wales. International Judge at the SICC.

Vote of Thanks

Dr Hassan Arab, Member of DIAC Arbitration Court,
Partner, Regional Head of Dispute Resolution of Al
Tamimi and Company

10:30 – 11:00

Refreshment break

Global Voices

Moderated by Andrew Moran KC

11:00 – 12:30

The timeless search for certainty and its relevance to maritime law and arbitration law: where practical reality meets theory

James Alsop (The Hon Justice), Sydney Arbitration Chambers and Atkin Chambers, Australia

Recent developments in U.S. Maritime Arbitration

Tom Belknap, Blank Rome LLP, US

Positive effects of ICMA: How ICMA XXI helped to boost maritime arbitration in Brazil

Camila Cordoso, Kincaidi, Brazil

"Steady as she goes!" - modest proposed reforms to Arbitration Act 1996

James Turner KC, Quadrant Chambers, UK

12:30 – 14:00

Lunch

Current Arbitration Issues

Moderated by Gregor Harbs

14:00 – 15:30

Summary judgment – no real prospect of success?

Charles Debattista KC, 36 Stone Chambers, UK

"Indisputably Due": summary powers and Kozstas Melas-type awards

David Stewart, Arbitrators at 10 Fleet Street, UK

Conditional awards - are they final and enforceable?

Karnan Thirupathy, Kennedys Legal Solutions, Singapore

Nipping counterparty non-performance disputes in the bud: the application of the doctrine of adequate assurances in SMA arbitrations

George Tsimis, GJT Marine Consultants LLC, US

Separation anxiety and existential angst of the arbitrator – reconciling competence and severability in light of DHL Project v Gemini Ocean Shipping

Geoff Farnsworth, Holding Redlich, Australia

Liability and Limitation

Moderated by CW Lee

16:00 – 17:30

Recent developments on limitation of shipowners' liability in Japan

Mitsuhiro Toda, Law Offices of Toda & Co, Japan

Apportionment of liability in allision case between vessel and gantry crane in Japan

Yuseke Kodate, Law Offices of Toda & Co, Japan

The unified interpretations of the test for breaking the shipowner's right to limit liability under LLMC and CLC: what they say and why they are so relevant

Dieter Schwampe, Arnecke Sibeth Dabelstein, Germany

Appropriate fora in limitation of liability

Lawrence Teh, Dentons, Singapore

Multiplicity of limitation of liability conventions: the unfortunate effects caused by lack of harmonization

Norman Martinez, IMO International Maritime Law Institute, Malta

18:00

Departure to Dhow Cruise Dinner

19:00 – 22:00

Dhow Cruise Dinner
Dubai Marina

Market leaders in maritime law with a global reach

STEPHENSON HARWOOD



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Current Arbitration Issues

Moderated by Roger Moisey

09:00 – 10:30

The law of the arbitration agreement : a non-issue

James Clanchy, Arbitrator, UK

How should arbitrators decide claims and counterclaims arising from the same incident if on the evidence neither party meets its burden of proof?

Robert Shaw, Sea Trade Holdings Inc, US

Interfering friends? The Courts and maritime arbitration

Michael Ashcroft KC, Twenty Essex, UK

The application of functus officio in arbitration

Peter McQueen, ArbDB Chambers, Australia

Attachment of evidence in the Netherlands: its role as an effective tool in international arbitrations

Lotte Schat, AKD Transport & Trade, Netherlands

10:30 – 11:00

Refreshment break

National Arbitration Issues (Europe, Mena and North America)

Moderated by Peter Swanson

11:00 – 12:30

Concurrent

Nordic offshore and maritime arbitration (NOMA) – an update

Mathias Steino, Hafnia Law Firm, Denmark

Enforcement and recognition of arbitration awards in the Middle East

Rania Tadros, Stephenson Harwood Middle East LLP, UAE

Environmental law and public policy in Islam: Whether the preservation of the environment constitutes as part of the UAE's public policy

Mahmood Hussein, Mahmood Hussain Law Firm LAW FIRM UAE Advocate, UAE

Sire, hire, price majeure and a global pandemic: are vetting clauses a warranty or a due diligence obligation?

George Chalos, Chalos & Co, PC, US

Charterparty Issues

Moderated by Paul David

11:00 – 12:30

Concurrent

Understanding performance claims: part iv, the Reasonable Grounds Method (RGM)

Brian Williamson, LMAA, UK

The legal basis for claiming loss of time and excess fuel consumption absent “good weather”

David Semark, Quadrant Chambers, UK

Why weather routing companies should not make claims

David Boxall, Consultant, Germany

Must delay caused by breach of safe port promise frustrate the voyage to give owners a right of recovery?

Charles Baker, CB Arbitrations Ltd, UK

Recoverable Damages and Illegitimate Last Voyage: A New Approach?

Fernando Porto Fihlo, Shipping Consultoria, Brazil

12:30 – 14:00

Lunch

National Arbitration Issues (Asia and South America)

Moderated by Omar Omar

14:00 – 15:30

Concurrent

Preserving fairness and finality - Hong Kong Court's stance on setting aside arbitral awards in international commercial arbitration

Ernest Yang, DLA Piper, Hong Kong

Sham arbitration in China: status quo, issues and suggestions

Qinghua Zhou, Dalian Maritime University Law School, China

Responding to change - the 4th edition of the SCMA Rules

Vivian Ang, Allen & Gledhill LLP, Singapore

USA sanctions and its impact on the Venezuelan Maritime Arbitration

Ricardo Maldonado, MPGLAW, Venezuela

Arrest, Sale, Enforcement And Insolvency

Moderated by Richard Strub

14:00 – 15:30

Concurrent

Ship arrest in Brazil and interplay with arbitration clauses

Olympio Carvalho, Castro Barros Advogados, Brazil

Beijing draft: present and future of judicial sale of ships

Iwam Jaegar, Kincaid Mendes Vianna Advogados, Brazil

A brief introduction to the Beijing Convention on the judicial sale of ships

Henry Hai Li, Henry & Co Law Firm, China

Enforcement and recognition of arbitration awards in the Middle East

Rania Tadros, Stephenson Harwood Middle East LLP, UAE

Inter-relationship between insolvency proceedings and arbitration

Byung Suk Chung, Kim & Chang, South Korea

15:30 – 16:00

Refreshment break

Carbon Regulation and Sustainability

Moderated by Guy Campbell

16:00 – 17:30

The practical application of sustainability principles to modern shipping

Adrian Moylan, Vice President, Norway

The new Carbon Intensity Indicator (CII) Regime

Eva Litina, Attorney at law/Lecturer, Greece

Carbon Regulations 2023 - an update from the coalface

Philip Bacon, Arbitrator, Expert, Consultant, United Kingdom

Arbitrating decarbonization disputes – challenges and advantages

Andrew Rigden-Green, Partner, Hong Kong

USA Sanctions and its impact on the Venezuelan Maritime Arbitration

Martin Crawford-Brunt, Chief Executive, United Kingdom

18:00

Departure to dinner

19:00 – 22:00

Dinner

Bar du Port, Dubai Harbour

DAY 4

WEDNESDAY 8 NOVEMBER 2023

09:00 – 15:30

Day at Leisure

15:30

Departure to the desert

16:00

Social day out – Al Waha – Exclusive Desert Experience

DAY 5

THURSDAY 9 NOVEMBER 2023

Current Arbitration Issues

Moderated by Roger Moisey

09:00 – 10:30

Dealing with fraud and corruption in maritime and commercial arbitration

Sitpah Selvaratnam, Tommy Thomas, Malaysia

The distance between arbitration and litigation – use of arbitrator's own expert knowledge revisited

Kenichiro Kurosawa, Law Offices of Toda & Co, Japan

The remuneration of the tribunal – lumpsum vs time spent concepts

Dr Johannes Trost, Lebuhn & Puchta, Germany

To concur or not: is the force with you ?

Sara Gillingham-Aukner, Arbitrator, UK

10:30 – 11:00

Refreshment break

Bills of Lading and Related Issues

Moderated by Mohamed El Hawawy

11:00 – 12:30

Concurrent

Bill of Lading - A title deed and the enforceability of dispute resolution mechanisms

Omar Omar, Al Tamimi and Company, UAE

The blurring of lines between shipping contracts

Steven Rares Justice, Federal Court of Australia, Australia

Arbitration for liner bills of lading

Jagannath Muthu, NAU Pte Ltd, Singapore

How to prevent vessel from being used as a floating warehouse

Xinwei Zhao, HiHonor Law Firm, China

The broad church of arbitration: enforcement of arbitration clauses against third parties

Mark Sachs, Penningtons Manches Cooper, UK

Technology and AI in Arbitration

Moderated by Adrian Chadwick

11:00 – 12:30

Concurrent

Will a cyber-attack make a tribunal "unseaworthy"

Marcel Verhagen, DOCK Legal Experts, Netherlands

The Increasing use of AI in maritime arbitration proceedings after the COVID-19 outbreak: opportunities and issues

Jessica Antunes,
Mattos Filho Advogados Associados, Brazil

Challenges to maritime arbitration regarding artificial intelligence risks in the increase of technology for using in shipping industry: a case study

Leonardo Soares, LS Consultoria Naval, Brazil

Hi Jus Mundi: revealing new perspectives on maritime arbitration through data

Jean-Remi De Maistre, Jus Mundi, France

12:30 – 14:00

Lunch

Bills of Lading and Related Issues

Moderated by Ashwin Shankar

14:00 – 15:30

Concurrent

Bill of lading, arbitration clause and insurers: a recent perspective from the Brazilian Superior Court of Justice

Frederico Mendes Vianna Cardoso, Kincaid Mendes Vianna Advogados Associados, Brazil

Issues on the identification of B/L Carrier - judicial practice, theories and the proposed revision on China's maritime law

Shouzhi An Dr, Anjie Broad Law Firm Xiamen Office, China

Misdelivery and the Hague (Hague-Visby) Rules time-bar

Stephen Girvin, Centre for Maritime Law, NUS, Singapore

Are bills of lading still valuable security in the hands of a financier?

Corina Song, Singapore Chamber of Maritime Arbitration, Singapore

Containers carriage demurrage, detention and storage what legal nature and regime?

Philippe Delebecque, Chambre Arbitrale Maritime de Paris, France

New Energies, Offshore and Environmental

Moderated by David Leckie

14:00 – 15:30

Concurrent

Arbitration in the fledgling offshore wind sector

Ben Goss, Goss Maritime Ltd, UK

The recent development of the cabotage and offshore industry in Brazil and the choice of arbitration to solve disputes arising out of it

Fabrine Soares, Kincaid | Mendes Vianna Advogados Associados

Legal challenges for the protection of marine environment due to ship recycling industry in India

Madhvendra Singh, Gujarat Maritime Cluster, India

Marine debris/litter, conflicts, challenges and maritime laws

John Prasad Menezes, Menzes Arbitration Mangalore, India

15:30 – 16:00

Refreshment break

Sanctions

Moderated by Daniella Horton

16:00 – 17:30

Sanctions, contractual aspects, bigger rocks and increasing hard places

Sara Masters KC, Twenty Essex, UK

Risking war - how owners' insurance has served them during wartime

Soto Skinitis, Skinitis LLC, Greece

Effect of sanctions on arbitrations and enforceability of awards in Canada

JJ McIntyre, MW Law Offices, Canada

Arbitrators facing arrest and Russian sanctions

Patrick Simon, Villeneuve Rohart Simon & Associés

The impact of economic sanctions on arbitration

Sahra Arif, Kneppelhout Advocaten, Netherlands

19:00 – 22:00

Gala dinner, Jumeirah Emirates Towers - Godolphin Ballroom

DAY 6

FRIDAY 10 NOVEMBER 2023

Local Industry Session -

Moderated by: Richard Briggs & Alec Emmerson

09:00 – 10:30

Decarbonisation

Farooq Zuberi, Chief Financial Officer (CFO), of APT Terminals, Bahrain

An Interview with the Arbitration Centres

Robert Stephen, Registrar of Dubai International Arbitration Centre (DIAC), UAE

Christian P. Alberti, Esq, Chief of ADR & General Counsel at Saudi Center for Commercial Arbitration (SCCA), Saudi Arabia

10:30 – 11:30

Refreshment break

11:30 – 12:30

Closing ceremony

12:30 – 14:30

Lunch



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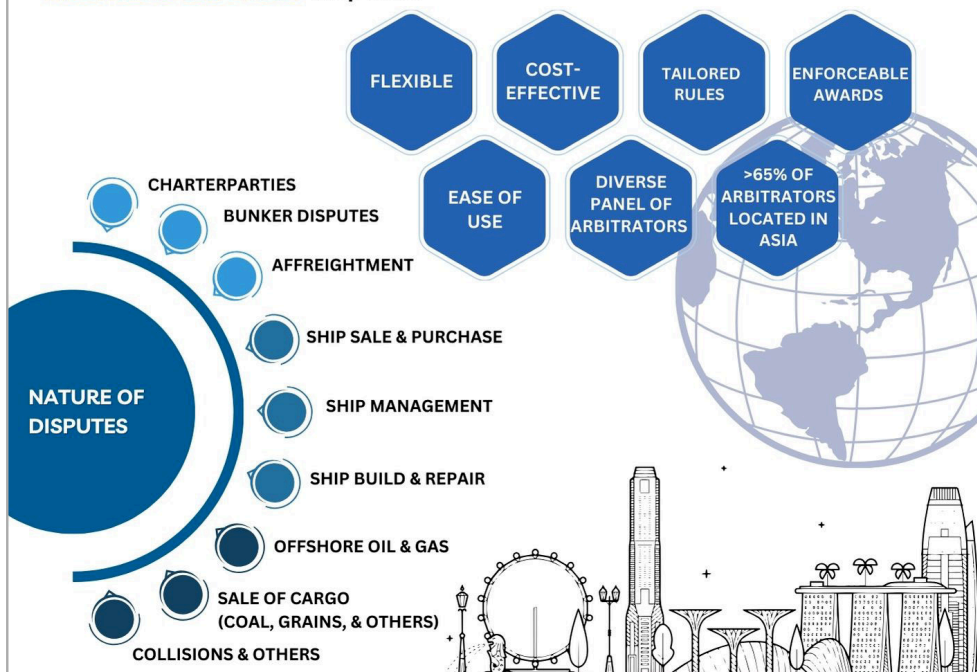


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