



**Iura novit curia vs. right to be heard: how to strike the balance? /  
The interface between arbitration and criminal law: a selection of issues**

Friday, 29 October 2010, Hotel The Dolder Grand, Zurich

**About the Seminar**

The Seminar is open to arbitration practitioners up to approximately forty years of age. It will be divided into two sessions. Each of them will be introduced by two short presentations of about ten to fifteen minutes, followed by an interactive discussion amongst the participants. Each session will be led by a moderator. All the participants are encouraged to share their experience. Dress code is casual.

# Programme

**Special Guest: Michael Schneider,  
Lalive, Geneva**

10:00 Registration: Hotel Dolder Grand, Zurich

10:30 Welcome Address – Outgoing co-chairs of the Group: *Domitille Baizeau, Marc Veit*

10:45 **First Session: Iura novit curia vs. right to be heard: how to strike the balance?**

The civil law view  
*Laurence Franc-Menget, Herbert Smith, Paris*

The common law view  
*Duncan Speller, WilmerHale, London*

Moderator:  
Philippe Bärtsch,  
Schellenberg Wittmer,  
Geneva

12:15 Lunch

13:45 **Second Session: The interface between arbitration and criminal law: selection of issues I**

Investigation or criminal proceedings prior to the arbitration: impact on the arbitration agreement and on arbitral proceedings  
*Jaime Gallego, Lalive, Geneva*

Criminal offences committed through the arbitration: Duty to report and investigate? Duty to testify? Liability and immunity.  
*Amir Ghaffari, Shearman & Sterling, Paris*

Moderator:  
Gisela Knuts,  
Roschier, Helsinki

15:15 Coffee break

15:45 **Third Session: The interface between arbitration and criminal law: selection of issues II**

Criminal offences during the arbitration: false testimony, fraud, defamation: What should arbitrators do?  
*Anna von Mühlendahl, WalderWyss, Zurich*

Challenging awards tainted by fraud: revision, setting aside, non-enforcement  
*Julien Fouret, ICC, Paris*

Moderator:  
Christopher Harris,  
Three Verulam  
Buildings, London

17:15 Closing Remarks – Incoming co-chairs of the Group: *Joachim Knoll, Manuel Liatowitsch*

17:30 Pre-Dinner Drinks

19:15 Dinner at a place to be announced

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Kindly register as soon as possible, but at the latest by 15 October 2010. In order to safeguard the format of the seminar, we are required to limit the number of participants to approximately seventy.

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Given Name:

Family Name:

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Firm/Company:

## Registration Form

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Address:

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Telephone:

E-Mail:

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Special Dietary Requirements:

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- CHF 280: Seminar Fee (includes: seminar fee and lunch)  
 CHF 80: Dinner

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