



Association Suisse de l'Arbitrage
Schweiz. Vereinigung für Schiedsgerichtsbarkeit
Associazione Svizzera per l'Arbitrato
Swiss Arbitration Association

ABOUT THE CONFERENCE

Conference topic

The conference will deal with multi-tier dispute resolution clauses, with a focus on practical aspects. The first part will be dedicated to the definition of multi-tier dispute resolution clauses, illustrated with a few examples. The second part of the conference will address the question of non-compliance and give an overview of the approach taken in a number of jurisdictions, including Switzerland, Germany, France, England, the US and Japan. The third panel will discuss the lessons learned on how to handle multi-tier dispute resolution clauses in practice, dealing with questions such as the situations in which their use is appropriate, how they should be drafted, and how non-compliance should be tackled.

Schedule at a glance

11:00	REGISTRATION
11.15	ASA GENERAL MEETING
12:00	LUNCH
13:15	CONFERENCE
17:00	COCKTAIL

CONFERENCE PROGRAMME

13:15 – 13:20	WELCOME ADDRESS	Prof. Dr. Henry Peter Kellerhals Carrard Lugano SA
13.20 – 13.40	MULTI-TIER DISPUTE RESOLUTION CLAUSES – DEFINITION AND EXAMPLES	Prof. Dr. Henry Peter with Dr. Stefanie Pfisterer Homburger AG, Zurich



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13.40 – 15.00

WHAT HAPPENS IN CASE OF NON-COMPLIANCE – THE VIEWS IN DIFFERENT JURISDICTIONS

Switzerland (and Germany)

France

England and United States

Japan (and Asia)

Questions and Discussion

MODERATION:

Dr. Christian Oetiker
VISCHER AG, Basel

PANELISTS:

Philippe Pinsolle

Quinn Emanuel Urquhart & Sullivan, LLP, Paris

Laurence Shore

BonelliErede, Milan

Yoshimi Ohara

Nagashima Ohno & Tsunematsu, Tokyo

15.00 – 15.30

Coffee Break

15.30 – 16.50

PANEL DISCUSSION: LESSONS LEARNED

In which circumstances are multi-tier dispute resolution clauses appropriate?

How to draft a multi-tier dispute resolution clause?

How to deal with cases in which one party is not acting in conformity with the clause?

How to deal with statutes of limitations?

Questions and Discussion

MODERATION:

Prof. Dr. Felix Dasser
Homburger AG, Zurich

PANELISTS:

Pierre-Yves Tschanz

Tavernier Tschanz, Geneva

Dr. Claudia Götz

Novartis International AG, Basel

Tao Jingzhou

Dechert, Beijing

16.50 – 17.00

CLOSING REMARKS

Elliott Geisinger

ASA President,
Schellenberg Wittmer Ltd., Geneva

17.00

COCKTAILS



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ABOUT THE ORGANIZERS

ASA – Swiss Arbitration Association

The Swiss Arbitration Association (ASA) has over 1200 members, practitioners and academics engaged and/or interested in domestic and international arbitration, from Switzerland and abroad. ASA contributes to the development of arbitration law and practice through regular conferences and workshops, including this Annual Conference; the Arbitration Practice Seminar; ASA Local Group meetings; ASA below 40 events for young practitioners, and the publication of the ASA Bulletin, a renowned arbitration quarterly, and of the ASA Special Series. For more information and membership enquiries, see www.arbitration-ch.org.

Conference Organisation

Prof. Dr. Felix Dasser, Homburger AG, Zurich

Dr. Christian Oetiker, VISCHER AG, Basel

Prof Dr. Henry Peter, Kellerhals Carrard Lugano SA