

**THE INTERNATIONAL CENTRE FOR  
ALTERNATIVE DISPUTE RESOLUTION**



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F.No. S/2/2015-ICADR

21<sup>st</sup> March, 2017

Dear Madam/Sir,

It may be mentioned that ICADR, Headquarters is supporting 24<sup>th</sup> International Council for Commercial Arbitration (ICCA) Congress being hosted by The Australian Centre for International Commercial Arbitration (ACICA) from 15-18<sup>th</sup> April, 2018 in Sydney.

The electronic newsletter of ACICA for the said event has been uploaded on ICADR's Website <http://icadr.nic.in> for your information and use or it can also be seen at <http://icca2018sydney.com/news/5.html>.

It may be clarified that the Members attending the event will have to make their own arrangements for registration, travelling and stay.

Thanking you,

Yours Sincerely,

(B.S. Saluja)  
Secretary-General

# SYDNEY, THE PLACE TO MEET: ICCA 2018



**ICCA2018**  
Sydney Australia 15-18 April 2018

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## Invitation from ICCA President Donald Donovan

As ICCA President, it is my great pleasure to invite you to the 24th ICCA Congress, to be held in Sydney, Australia from 15-18 April 2018.

Widely regarded as the largest and most important conference in the international arbitration universe, ICCA's biennial Congress welcomes both newcomers and experts. It combines rigorous and stimulating programming featuring leading figures from around the world with the opportunity to engage informally with a vast number of arbitrators, arbitration practitioners, government officials, and judges.



The 2018 Congress will address the theme: "Evolution and Adaptation: The Future of International Arbitration." It will be followed by a separate but related event in Queenstown, New Zealand, on 19-20 April 2018, co-hosted by ICCA and AMINZ.

*We look forward to welcoming you to ICCA Sydney 2018.*

Donald Donovan  
ICCA President

## Congratulations to Alex Baykitch AM

The Australian Centre for International Commercial Arbitration (ACICA) would like to congratulate Alex Baykitch AM on his appointment as Member of the Order of Australia, in recognition of his significant service to the law in the field of international commercial arbitration, and to professional legal organisations.



## Super Early Bird Registration Closing Soon

To ensure cost savings on the registration rate for the ICCA 2018 Sydney Congress, register before Friday 31 March 2017. This will provide at least a 10% saving to the Early Bird rate and the rate will not be extended. Registration can be completed online via the Congress [website](#).

Registration Type	Australian Dollars	US Dollars	Euro
Super Early Bird Full Registration	AUD 2,200	USD 1,500*	€1,300*

*\*USD and Euro costs are estimates only as at November 2016. Fees are to be paid in Australian Dollars.*

**Register now for the *Super Early Bird!***

Further details and registration information on the follow-on event in New Zealand can be found on the [AMINZ-ICCA Queenstown website](#).

[Register now for \*\*AMINZ-ICCA Queenstown\*\*](#)

## ICCA 2018 Ambassadors

It is our great pleasure to introduce to you to three more ICCA 2018 Sydney Ambassadors. For a full list of ICCA 2018 Sydney Ambassadors click [here](#).

**Tim Lindsay**

**Lowndes Jordan – New Zealand**

Tim is a partner in Lowndes Jordan's business disputes practice, and has appeared as counsel in in some of the most significant international commercial, investment treaty and public international law disputes over the past decade. He has acted in arbitrations under the auspices of all leading arbitration institutions, e.g., ICC, LCIA, ICSID, the Permanent Court of Arbitration in the Hague, SIAC, SCC, and in ad hoc arbitrations.



Tim has argued cases for clients across a wide range of industries, including the technology, telco, banking and financial services, oil & gas, mining, infrastructure, airline, manufacturing, and primary industry sectors, among others. He has significant experience in corporate/shareholder, complex contract, banking and financial services (creditor and debtor), IP and foreign investment disputes. Formerly a partner in US law firm Dechert LLP and a member of that firm's globally recognised international arbitration practice, Tim continues to play an active role in policy leadership in the international arbitration field. Tim is a member of is a member of the ICC

Commission on Arbitration and ADR, and its Task Forces on Financial Institutions and Arbitration and Maximizing the Probative Value of Witness Evidence. He was also a member of the Task Force on Costs in Arbitration. Tim is also a member of the ISDA Arbitration Committee, and speaks regularly on using arbitration in the banking and finance industry.

Tim also represents companies in litigation in the N.Z. courts, including the enforcement of arbitral awards and foreign judgments.

## Dr. Daphna Kapeliuk

### Goldfarb Seligman & Co., Law Offices - Israel

Dr. Daphna Kapeliuk is a partner at the Commercial and International Litigation Department at Goldfarb Seligman, Law Offices in Tel-Aviv.

She is considered as the leading Israeli expert on international arbitration, combining both her practical and academic experience. Her many years of expertise in alternative methods for the resolution of

disputes enable her to provide unique, far-reaching legal advice to her clients in conducting complex international commercial arbitrations, as well as to clients wishing to avoid litigating before Israeli courts. Dr. Kapeliuk frequently advises legislators and government bodies on arbitration issues. She was an Invited Expert to the meetings of the Constitution, Legislation and Law Committee of the Knesset (Israeli Parliament), with respect to a Bill amending the Arbitration Law, and a Bill amending the Courts Law by including a section on mandatory arbitration.



## Carlos S. Forbes

### CAM-CCBC - Brazil

Carlos S. Forbes is, currently, the President of the Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada - CAM- CCBC, the most traditional and well-known Arbitration Center in

Brazil. During almost a year since he took the position of President, he invested his time and effort in improving the best practices of CAM-CCBC and its internationalization.

Mr. Forbes routinely serves as arbitrator, as well as legal counsel in arbitrations involving corporate, contracts and civil, regulatory and commercial matters. He is the senior partner of the litigation and arbitration practice of Mundie e Advogados. He holds law degree from the Universidade do Estado do Rio de Janeiro - UERJ (LLB, 1988), post graduate degree in civil procedure law (PUC/SP, 1991) and attended a masters program in civil procedure law (PUC/SP, 1994).



He is member of the Brazilian Bar (São Paulo, Rio de Janeiro, Distrito Federal, Pernambuco, Rio Grande do Sul and Minas Gerais sections) and of numerous organizations, including, the Brazilian Arbitration Committee – CBAr (former Vice President and current member of its Executive Council), the Movimento de Defesa da Advocacia – MDA (Advocacy Defense Movement) (former President and current board member), the International Council for Commercial Arbitration – ICCA, the International Bar Association – IBA and the Associação dos Advogados de São Paulo – AASP (São Paulo Association of Attorneys-at-Law).

## ICCA 2018 Programme Themes

# ICCA

INTERNATIONAL COUNCIL FOR COMMERCIAL ARBITRATION

***Law-Making in International Arbitration: What Legitimacy Challenges Lie Ahead?***

## ***Arbitration Challenged, a four-part series on challenges facing the international arbitration system, including:***

- reforms to treaty standards and conditions of access in investment arbitration;
- reforms to commercial arbitration in light of legitimacy concerns;
- party autonomy in choosing decision-makers: should it be revisited?, and
- challenges posed by arbitration economics, including third party funding, recovery of costs, and maintaining procedural fairness in the face of significant imbalances in party resources.

## ***Arbitrations Involving Public Bodies and Public Interests, a two-part series including:***

- the increasing participation of public entities in international arbitration;
- confidentiality, transparency and public participation: too far or not far enough?

## ***Building Better Arbitration Proceedings: Practical Suggestions, a two-part series including:***

- revisiting conventional wisdom in the organization of proceedings;
- efficiency and the lessons to be learned from commercial courts and other dispute resolution frameworks.

## ***The Moving Face of Technology, a two-part series including:***

- technology as disruption (including issues of cyber-security);
- technology as facilitation (including new techniques for accommodating geographic distances and promoting efficiency).

## ***Hot Topics and New Voices, a two-part series including:***

- a round-table discussion of latest developments and controversies, circa April 2018;

- short but provocative presentations by young practitioners, selected through a call for detailed proposals relating to the Congress theme.

## *New Frontiers in International Arbitration*, a two-part series including:

- the potential for arbitration in new subject areas (e.g., climate change, human rights);
- the potential of arbitration involving new actors (e.g., non-traditional actors).

## A Message from the ICCA 2018 Sydney Congress Diamond Partner



I know some professionals in the arbitration community may be curious why BAC/BIAC would like to be the Diamond Partner of ICCA 2018.

My answer is “why not”? Actually, this is not the first time that BAC has been a sponsor of an ICCA event. BAC/BIAC has a tradition of being involved in ICCA events and was the Bronze sponsor of ICCA 2014

and the Gold sponsor of ICCA 2016. Nor is this is the first time that BAC cooperates with its counterpart in Australia. As a representative of BAC, I was extremely honoured to be invited to speak at the APRAG 10th Anniversary Conference in Melbourne in 2014, and the 2nd, 3rd and 4th International Arbitration Conferences in Sydney during the Sydney Arbitration Week from 2014 to 2016. We very much enjoy our friendship with the arbitration community in Australia.

In recent years, the community has been impressed with BAC/BIAC’s extraordinary annual caseloads with increasing parties from different jurisdictions. However, what we are most proud of is our effort in facilitating mutual understandings between China and the rest of the world. As

the Diamond Partner of ICCA 2018 we shall spare no effort in promoting ICCA 2018 to all Chinese arbitration professionals and we look forward to seeing all friends, old and new, in Sydney in 2018.

Dr. Fuyong Chen

*Deputy Secretary-General of the Beijing Arbitration Commission/Beijing International Arbitration Center (BAC/BIAC) and the Vice-President of Asia Pacific Regional Arbitration Group (APRAG)*

## Biography of Dr. Chen Fuyong

Dr. Chen Fuyong is the Deputy Secretary-General of the Beijing Arbitration Commission/Beijing International Arbitration Center (BAC/BIAC) and the Vice-President of Asia Pacific Regional Arbitration Group (APRAG). He is a qualified PRC lawyer with a LLB from China University of Political Science and Law, a LLM from Peking University and a PhD from Tsinghua University. Dr. Chen was a visiting researcher (2007-08) at the Law School of UC-Berkeley and is a Research Fellow of the Center for the Study of Dispute Resolution at Renmin University of China. Dr. Chen is the General Editor of Beijing Arbitration Quarterly and has published over ten journal articles on commercial dispute resolution, including “Striving for Independence, Competence and Fairness: A Case Study of Beijing Arbitration Commission”, in *The American Review of International Arbitration*, v.18/no.3. His dissertation titled “The Unfinished Transformation: An Empirical Analysis of the Current Status and Future Trends of China’s Arbitration Institutions” was awarded 2010 Beijing Excellent Doctoral Dissertation. Dr. Chen is also the co-author of *Chinese Arbitration Law* (LexisNexis 2015 ) and *China Arbitration Handbook* (Sweet & Maxwell 2011). He has extensive experience in handling various commercial disputes through arbitration and mediation and is a regular speaker at international conferences and seminars.

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## ICCA 2018 Roadshows

Thank you to CHAFFETZ LINDSEY LLP and James Hosking for hosting and organising an ICCA 2018 Sydney event in New York last month. It provided a great opportunity to network and hear from Donald Donovan, ICCA President, and Alex Baykitch AM, ICCA 2018 Congress Co-Chair.



**Coming up in March:** 2018 ICCA Congress Sydney Roadshows in London, Paris and Milan. Visit the team in London, Paris and at the IBA 20th Annual International Arbitration Day in Milan from 30-31 March 2017.

## News from ICCA

### [Wendy Miles on Climate Change in conversation with Judith Levine](#)

In June 2016, Wendy Miles QC delivered the fourth annual Proskauer Lecture on International

Arbitration, "New Challenges for International Dispute Resolution in an Era of Climate Change." For the benefit of those who were not in the audience that day, ICCA invited Wendy and Judith Levine of the PCA to discuss on video some key points of the lecture. [Click here for the full interview.](#)

## [ICCA-ASIL Taskforce on Damages in International Arbitration](#)



ICCA-ASIL Task Force on Damages in International Arbitration

10% OFF FOR ICCA AND ASIL MEMBERS

REGISTRATION OPEN  
Seminar on Damages

11 April 2017  
Washington DC

Hosted by ICSID

ICCA American Society of International Law ICSID INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

The poster features a background image of the United States Capitol building in Washington, D.C. The text is overlaid on this image. A green diagonal banner in the top right corner contains the text "10% OFF FOR ICCA AND ASIL MEMBERS". At the bottom, the logos for ICCA, the American Society of International Law (ASIL), and ICSID are displayed.

[Become an ICCA Member](#)

Not an ICCA member yet? Annual rates range from 175EUR – 350EUR and benefits include discounts on ICCA publications, being featured in the annual ICCA Membership directory, regular newsletters, discount on ICCA Congresses and more. Visit <http://www.arbitration-icca.org/members.html> for more information and to sign up.

## AMINZ-ICCA International Arbitration Day

Queenstown, New Zealand, 19-20 April 2018

The year started with the news that the chair of the Queenstown programming committee, renowned international arbitrator, David Williams, was knighted for his services to arbitration, a fitting note for a leader in the world of arbitration who has been one of the keenest supporters of the coming event in New Zealand.



AMINZ-ICCA International Arbitration Day not only promises delegates an educational experience but an epicurean delight.

Queenstown is New Zealand's premier tourist destination. It was voted the world's friendliest foreign destination by readers of Conde Nast Traveller, and is routinely extolled by the likes of the New York Times. It offers a variety of exciting activities including bungee jumping, jet boating and white water rafting. There is golf, trout fishing, garden tours, fine dining, excellent shopping and plenty of world class wine.



Otago, the region in which the conference is being held, is the world's southernmost wine-producing region. It is best known for its pinot noir. We begin the event with a wine and food experience at the iconic Gibbston Valley Winery. Wine-tasting, a selection of food and drink are all on offer here at one of the oldest regional wineries.

The event concludes with a special gala dinner at the delightful Mount Soho Winery, which again boasts outstanding wines. These will be served at the dinner in this beautiful locale.

For those bringing partners, a special programme offers an amazing day out, and of course there will be plenty to do for those who stay on.

## Our Confirmed Partners and Sponsors

An event of the calibre of ICCA could not be made possible without the generous support of our Partners and Sponsors. We are hugely appreciative of their early support of the Congress. We wish to thank them for their involvement to date and look forward to the many months ahead in the planning and promotion of ICCA 2018 Sydney.

Opportunities are still available for sponsorship and exhibition at the Congress. We would be more than happy to tailor a package to suit your needs. Start a conversation today with the Sponsorship & Exhibition Director:

Emma Bowyer

ICCA 2018 Sponsorship & Exhibition Director

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**24th International Council for Commercial Arbitration (ICCA) Congress**  
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[www.icca2018sydney.com](http://www.icca2018sydney.com)

If you do not wish to receive further email news about this event from the Conference Secretariat, click [here](#) and let us know.