



**School of International Arbitration and ICC Institute of World Business
Law 39th Annual Joint Symposium of Arbitrators
London, 16 April 2024**

Venue: Herbert Smith Freehills LLP, Exchange
House, Primrose St, London EC2A 2EG

Fraud in International Arbitration

PROGRAMME

09:00 – 09:30 *Registration and coffee*

09:30 - 09.40 Welcome address

*Julian D M Lew KC, Head of School of International Arbitration, Queen
Mary University of London*

Session 1: Types of fraud in international arbitration

09.40 – 11.10 Issues to be addressed

- Corruption and Bribery in International Arbitration
Mary Mitsi, Queen Mary University of London
- Fraud that affects the procedure
James Herbert, Counsel Gaillard Banifatemi Shelbaya Disputes, Paris
- Fraud that affects the evidence presented: Documents/Witnesses
*Paula Hodges, Head of the Global Arbitration Practice, Herbert Smith
Freehills, London*
- Fraudulent use of Arbitration
Fernando Mantilla Serrano, Partner, Latham & Watkins, Paris

Moderator:

Norah Gallagher, Director School of International Arbitration, Queen Mary University of London

Coffee Break: 11:10-11:30

Session 2: Duties of arbitrators and counsel to international arbitration tribunals

11.30-13.00

Issues to be addressed

- Ethics and practical requirements of practicing lawyers before international arbitration tribunals

Juan Fernández Armesto, Arbitrator, Juan Fernández Armesto, Madrid

- Duties and obligations of Arbitrators

Nahendran Navaratnam, Arbitrator, Navaratnam Chambers, Kuala Lumpur

- Duties owed by experts to arbitral tribunals

James Dow, Professor of Finance at London Business School, London

- Authority of arbitrators over counsel

Laurence Shore, Of Counsel BonelliErede, Milan

Moderator: *Maria Claudia Procopiak, Arbitrator, Procopiak Arbitration, London*

13:00 – 14:00 Lunch

Session 3: Applicable International Standards and Guidelines

14.00-15.30

Issues to be addressed

- National and international legal framework applied to fraud and bribery

Anna Joubin-Bret, Secretary of the United Nations Commission on International Trade Law, Director of the International Trade Law Division, Vienna

- Legal consequences of establishing fraud and corruption in commercial arbitration

Dominique Hascher, Judge at the Supreme Judicial Court (Cour de Cassation, France), Paris

- Legal consequences of establishing fraud and corruption in investment arbitration

Christian Leathley, Partner, Co-Head of the Latin America Group, Co-Head of the Public International Law Group, Herbert Smith Freehills, London

- National courts keeping an eye on arbitration proceedings

Chuan Thye Tan, Partner Rajah and Tann, Singapore

Moderator:

Julian D M Lew KC, Head of School of International Arbitration, Queen Mary University of London

Tea Break 15:30- 15:45

Session 4: The Role of Arbitral Institutions

15.45-17.15

Issues to be addressed

- The role of arbitral institutions in combating fraud in arbitration

Jacomijn van Haersolte-van Hof, Director General of the LCIA, London

- New technologies at the service of arbitration

Ashleigh Brocchieri, Expert Counsel at ICC International Court of Arbitration, Paris

- The response of arbitral institutions to data protection and cyber-

security

Luis M. Martinez, Esq. Vice President, International Centre for Dispute Resolution, American Arbitration Association, New York

- Reconciling confidentiality and privacy concerns with greater visibility in arbitration

Rémy Gerbay, Partner in Hughes Hubbard, Washington, D.C.

Moderator

Eduardo Silva Romero, Partner at Wordstone Dispute Resolution, ICC Institute of World Business Law, Paris

17:15

Concluding Remarks: *Eduardo Silva Romero, Partner at Wordstone Dispute Resolution;
ICC Institute of World Business Law, Paris*