



**Practitioner workshop on International Arbitration -  
Eleventh Annual Review of the Arbitration Act 1996:  
Old Hall, Lincolns Inn, London - Monday, 21 January 2008**

**“Is English Law Really Better?”**

The 2007 annual review of the English Arbitration Act 1996 proposes a comparative look at developments in England as the courts approach 1,000 decided cases since entry into force of the Act. This year's review takes place against the background of claims by the Law Society in October 2007 (*England: The Jurisdiction of Choice*) that London as an arbitration venue and English law are superior to civil law jurisdictions in terms of quality of legal norms, certainty, predictability, arbitration friendliness, lawyers and infrastructure. Are the Law Society's claims legitimate or merely an expression of legal ethnocentrism by practitioners unfamiliar with systems of law other than their own?

**Programme**

- 8:15 am**                      **Registration and coffee**
- 9:00 am**
- Opening:**                      Stewart Shackleton, Eversheds  
Robert McCorquodale, British Institute of International and Comparative Law
- 9:10 am**
- Session 1:**                      **Nationalism v. Internationalism**
- Chair                              Laurie Craig  
Orrick, Herrington & Sutcliffe, Paris
- Speakers                        Professor Geoffrey Samuel  
University of Kent  
*Legal Imperialism and Comparative Law*
- Dr Julian Lew QC  
20 Essex Street, London  
*'A Light Touch?' - Supervision or Support: the Court's Dilemma*
- Stewart Shackleton  
Eversheds, Paris and London  
*English Legal Nationalism and Arbitration: Origins and Enduring Appeal*
- 11:00 am**                      **Coffee**

**11:30 am**  
**Session 2:**

## **Choice and Application of Legal Norms**

Chair            Professor Pierre Mayer  
Dechert, Paris

Speakers       Charles Kaplan  
Herbert Smith, Paris  
*The application of legal norms by international arbitrators*

Judith Gill  
Allen & Overy, London  
*The distinction between applicable law and 'other considerations' in s 46 of the Arbitration Act and how this compares with the approach in other jurisdictions*

Michael O'Reilly  
Adie O'Reilly, Lincoln  
*Arbitration Appeals in the English Courts – the effect of Choice of Law, Venue and Procedural Rules*

Commentator M. Dominique Hascher, Cour d'appel, Paris

**1:00 pm**

**Lunch**

**2:30 pm**  
**Session 3:**

## **Procedure and Evidence**

Chair            Lord Mustill  
Essex Court Chambers, London

Speakers       Louis Degos  
Eversheds, Paris  
*Beyond Nationalism Towards Transnational Procedural Rules in Arbitration*

Norah Gallagher  
British Institute of International and Comparative Law, London  
*Procedural Irregularity: Limits and Lessons Learned*

Larry Shore  
Herbert Smith, Paris  
*Sorting Out the Relationships Between the Law of the Seat/the Law of the Contract/the Law of the Arbitration Agreement: Does English Law Sort Better?*

Philippa Charles  
Mayer Brown, London  
*Pre-Emptive Strike or Attack on Comity: English Anti-Suit Injunctions and the rest of the World*

**4:00 pm**

**Coffee**

4:30 pm  
Session 4:

## Arbitral Autonomy

Chair Lord Justice Rix  
Court of Appeal, London

Speakers Louis Flannery  
Howes Percival, Milton Keynes  
*Premium Nafta v Fili Shipping - Did the Law Lords go Far Enough?*

Philippe Pinsolle  
Shearman and Sterling, Paris  
*The Recognition of Arbitral Autonomy*

Professor Robert Merkin  
Southampton University  
*Jurisdiction: Who Decides?*

Sophie Nappert  
3 Verulam Buildings, London  
*London as Ananke: What this means for arbitral autonomy*

Commentator Mr Justice Aikens  
Commercial Court, London

6:00pm Close

Drinks for delegates 6:00

Dinner 7:45

After dinner address:

M. Jean-Pierre Ancel, Président de Chambre honoraire de la Cour de cassation, Paris: "Les principes confirmés et les nouvelles avancées dans l'arbitrage international"