



ARBITRATION ON THE MOVE

Framework, Industries & Economic Development

A New York Convention
60th Anniversary Conference

ARBITRATION WEEK 2018
KINGSTON | JAMAICA



24 - 30 JUNE | 2018

JUNE 25 - 27	08:30 - 16:15	Training in use of FIDC Forms of Contract (Repeated 1 day programmes)
JUNE 27	19:00 - 21:30	Maurice Stoppi Lecture & Reception
JUNE 28	08:30 - 17:40	New York Convention 60 th Anniversary Conference, Day 1
	18:00 - 20:00	Organisation of American States Presentation & Book Launch
JUNE 29	09:00 - 16:15	New York Convention 60 th Anniversary Conference, Day 2
	19:30 - 22:30	Jamaica Night
JUNE 30		Explore Jamaica/Social Activity (Optional)

Training Workshop in use of FIDIC Forms of Contract

This workshop will consider aspects of the FIDIC Rainbow Suite of Contracts 1999, including how the contracts work and the principal rights and obligations of the parties to a contract under the Red, Yellow or Silver Books. The main changes to the FIDIC Rainbow Suite of Contracts since the 2017, including in their implications for parties, administrators and dispute resolvers, will also be considered. The Course Director is Ms Karen Gough of 39 Essex Chambers, with Supporting Tutors being Mr Anand Juddoo of Juddoo Consulting and Dr Christopher P Malcolm of the Jamaica International Arbitration Centre Limited.

Maurice Stoppi Lecture & Reception

Mr Maurice Stoppi, CD, has been a leading arbitrator and contributor scholarship in the Caribbean since the early 1970s. This activity will honour his legacy, and continuing contribution. The Lecture will be delivered by the Honourable, Mr C. Dennis Morrison, OJ, President, Court of Appeal, Jamaica.

New York Convention 60th Anniversary Conference

The Conference programme includes panels that will examine: Framework for Arbitration in the Region; New York Convention Turing Sixty: A Universal Instrument in Support of Economic Development; Reform of the Investor-State Dispute Settlement System; Sport; Model Law in Action – Jurisprudence and Impact; Maritime; and Construction.

Organisation of American States Presentation & Book Launch

Mr Dante Negro, Director, Department of International Law, Organisation of American States (OAS), and Dr Magaly McLean, Senior Counsel, Department of International Law, will make presentations on the work of the OAS in the region. Ms Christina Beharry will then launch a new book – Contemporary and Emerging Issues on the Law of Damages and Valuation in International Investment Arbitration, which has been edited by her and published by Brill | Nijhoff.

Jamaica Night

Jamaica Night will showcase 'Jamaica to the World'. It will include live 'Edutainment' by Fab 5 and Ashe, art display, food and beverage sampling, and an overall good Jamaican vibe.

MAURICE STOPPI LECTURE & RECEPTION

June 27, 2018

7:30 P.M.– 10:00 P.M.

**Spanish Court Hotel
NEW KINGSTON**

PROGRAMME

OPENNING REMARKS AND WELCOME

Mr. Steve Shelton, QC
Consultant Attorney-at-Law
Myers, Fletcher & Gordon

REMARKS

Dr. Christopher Malcolm, FCI Arb
Secretary General,
Jamaica International Arbitration Centre Limited &
Senior Lecturer, Faculty of Law, Mona Campus,
The University of the West Indies

Mr. Larry Watson
President,
Jamaica Chamber of Commerce

Mr. Eric Allen, FRICS
Board Member,
Royal Institution of Chartered Surveyors (Americas)

Mr. Jayems Dhingra, CARb, FCI Arb, FSI Arb, FHKIoD, MSID
Member,
Board of Management,
Chartered Institute of Arbitrators

The Hon. Mr. Delroy Chuck, QC, MP
Minister of Justice, Jamaica

ITEM

National Dance Theatre Company Singers

LECTURE

The Hon. Mr. Justice C. Dennis Morrison, OJ
President, Court of Appeal, Jamaica

CITATION

Mrs. Anya Levy, CRS
Broker Associate, Remax Elite

RESPONSE

Mr. Maurice Stoppi, CD, FCI Arb, FRICS, FJIQS

VOTE OF THANKS

Mr. Dean Burrowes, MCI Arb, MRICS, MJIQS
Quantity Surveyor & Building Economist,
Burrowes & Wallace

RECEPTION

ORGANIZATION OF AMERICAN STATES PRESENTATION & BOOK LAUNCH

June 28, 2018

6:00 P.M.– 8:00 P.M.

The University of the West Indies
REGIONAL HEADQUARTERS | MONA, KINGSTON 7

PROGRAMME

OPENNING REMARKS AND WELCOME

Ambassador, Dr. Richard Bernal
Pro-Vice Chancellor,
The University of the West Indies

REMARKS

Dr. Christopher Malcolm
Secretary General, Jamaica International Arbitration
Centre Limited & Senior Lecturer, Faculty
of Law, Mona Campus, The University of the
West Indies

OAS PRESENTATION

*Recent Developments in International Law at
the Organization of American States*

SPEAKERS

Mr. Dante Negro Alvarado
Director, Department of International Law,
Organization of American States

Dr. Magaly McLean
Senior Legal Officer, Department of International Law,
Organization of American States

Questions & Comments

BOOK LAUNCH

*Contemporary and Emerging Issues
on the Law of Damages and Valuation in
International Investment Arbitration*

EDITOR | Christina Beharry

PUBLISHER | Brill | Nijhoff

REFLECTIONS

Ms. Christina Breharry
Counsel, International Litigation & Arbitration Practice
Foley Hoag LLP, Washington, DC

Questions & Comments

RECEPTION

ARBITRATION ON THE MOVE
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08:30 – 09:00 **Registration**

09:00 – 09:45 **Programme Chair**

Senator Mrs. Donna Scott-Mottley
Founder & Senior Partner, Scott Bhoorasingh & Bonnick, Jamaica

Welcome

Mr. Clement Iton
University Registrar, The University of the West Indies, Jamaica

Remarks

Dr. Christopher Malcolm
Secretary General, Jamaica International Arbitration Centre Limited
& Senior Lecturer, Faculty of Law, Mona Campus,
The University of the West Indies, Jamaica

Mr. Larry Watson
President, Jamaica Chamber of Commerce, Jamaica

Ms. Anna Jobin-Bret
Secretary, United Nations Commission on International Trade Law & Director,
International Trade Law Division, Office of Legal Affairs, United Nations, Vienna

Mrs. Diane Edwards
President, Jamaica Promotions Corporation (JAMPRO), Jamaica

Honourable Mr. Audley Shaw, CD, MP
Minister of Industry, Commerce, Agriculture and Fisheries, Jamaica

Morning Chair

Mrs. Marlene Malahoo Forte, QC, MP (Attorney General, Jamaica)

09:50 – 10:55 **Framework for Arbitration in the Region**

This panel will examine the status of arbitration in the region and how this has been impacted by the international framework with the United Nations Convention on the Recognition and Enforcement of Arbitral Awards, 1958 at the core. The moderator and panellists understand the region and have been actively involved in the development, promotion, teaching and practice of arbitration. They will underscore recent development as well as emerging trends in arbitration and ADR across the region, and how this is contributing to the building of a more favourable infrastructure for sustainable economic development.

Moderator **Mr. Patterson A. Cheltenham, QC** (Charlton Chambers, Barbados)

Panellists **Dr. Christopher P. Malcolm** (Malcolm Gordon, Jamaica)
Ms. Irma Rivera-Ramirez (Brigard & Urrutia, Bogota)
Dr. Magaly McLean (Organisation of American States, Washington DC)

11:00 – 11:25 **COFFEE BREAK**

11:30 – 12:55

New York Convention Turning Sixty: A Universal Instrument in Support of Economic Development

This panel will examine aspects of the New York Convention in its development, and continuing impact. The moderator and panellists will expertly navigate the Convention and will, for example, assess its universal implications for the cross-border enforcement of arbitral awards. They will also consider the suitability of the Convention for modern trade, as a fleet in being; its support for voluntary compliance of arbitral awards; and its flexibility and evolution in interpretation, as illustrated by examples such as the notion of arbitrability and public policy exceptions.

Moderator	Dr. Marike Paulsson (University of Miami, Miami)
Panellists	Ms. Juliata Piedro (Bufete Ovalle Favelo, SC, Mexico City) Ms. Marinn Carlson (Sidley Austin LLP, Washington, DC) Ms. Cristina Cardenas (Reed Smith, Miami) Mr. Al Trent (Independent Arbitrator, London/Jamaica) Ms. Ramya Ramachanderan (University of Miami, Miami)

13:00 – 14:25

LUNCH

Afternoon Chair

Mr. Shaun Henriques (ADR Dispute Solutions, Jamaica/Dubai)

14:30 – 15:55

Reform of the Investor-State Dispute Settlement System

This panel will examine aspects of the investment framework in the region as well as the nature of investment arbitration and how this is evolving. The moderator and panellists comprising experts who have vast and varied experience will then also consider Investor-State Dispute Settlement (ISDS) reform in light of recent discussions in Working Group III; the impact of the UNICTRAL Transparency Standards; and differences between enforcement under the International Centre for the Settlement of Investment Disputes (ICSID) mechanism and the Convention.

Moderator	Ms. Rose Rameau (AzizBamba & Associates, Ghana/Haiti)
Panellists	Mr. Carlos F Concepcion (Jones Day, Miami) Ms. Natalie Reid (Debevoise Plimpton LLC, New York) Dr. Jose Antonio Rivas (Vannin Capital, Washington, DC) Ms. Christina L. Beharry (Foley Hoag, Washington, DC) Justice Roy Anderson (Retired Revenue Court Judge, Jamaica)

16:00 – 17:25

Sport

This panel will examine the importance of arbitration in the sporting arena. The moderator and panellists will underscore that sport is more than a hobby, and that its supporting infrastructure relies on a dispute management system with arbitration at the core. They will consider practical aspects of arbitration in the context of doping, selection, commercial branding, advertising and other sport-related disputes. The panel will as well also discuss approaches that could be adopted for the implementation of a more proximate system for the settlement of sport-related disputes in the region.

Moderator	Mr. Hugh Small, QC (3 Hare Court, Jamaica)
Panellists	Mr John Ohaga (TripleOKLaw Advocates, Nairobi) Mrs. M. Georgia Gibson-Henlin, QC (Henlin Gibson Henlin, Jamaica) Mr. Ian Wilkinson, QC (Wilkinson Law, Jamaica)

17:30 – 17:40

Wrap up of Day 1

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Morning Chair

Mr Mark Golding, MP (Hart Muirhead Fatta, Jamaica)

09:30 – 10:55

Model Law in Action – Jurisprudence and Impact

This panel will examine aspects of the contribution that the United Nations Commission on International Trade Law (UNCITRAL) has made to the development of arbitration in the region, and more generally how their work has impacted the framework for sustainable economic development. The moderator and panellists will, for example, consider the implementation history of the Model Law across the region; related texts, including two draft instruments on the enforcement of international commercial settlement agreements resulting from mediation that are on the agenda for the 2018 Commission Session; prospects for further development; practical issues raised by the application of the Model Law; and the promotion of arbitration and ADR to deal with climate change, the financial sector and other industry specific disputes.

Moderator

Ms. Dancia Penn, QC (Dancia Penn & Co., British Virgin Islands)

Panellists

Prof. John Rooney (Rooney Law, Miami)

Mr. Luis O’Naghten (Baker & McKenzie LLP, Miami)

Mr. Ramamurthi Santhanakrishnan

President, Commonwealth Lawyers Association, Delhi

Ms. Kristin Drecktrah Paz (Shutts & Bowen, Miami)

11:00 – 11:25

COFFEE BREAK

11:30 – 12:55

Maritime

This panel will examine aspects of maritime arbitration, bearing in mind that the region is expanded over water. The region includes important international waterways and facilities, including the Panama Canal, cruise shipping hubs and offshore drilling platforms. As the region continues to develop, there has been renewed focus on port-driven logistics and with it increasing recognition that capacity for maritime and related arbitration should be enhanced. The moderator and panellists will in their best practice driven discussion underscore emerging opportunities for maritime arbitration in the region and how best to engage in the field.

Moderator

Mr. Lowel Morgan (Nunes, Scholefield, Deleon & Co, Jamaica)

Panellists

Mr. Jayems Dhingra (Tiberias Management Consultants, Singapore)

Mr. David Steward (Arbitrators at 10 Fleet Street, London)

Capt. Hamada Fouda (Maritime Authority of Jamaica, Jamaica/Egypt)

13:00 – 14:20

LUNCH

Afternoon Chair

Ms. Norma Breakenridge (Breakenridge & Associates, Jamaica)

14:30 – 15:55

Construction

This panel will consider the use of arbitration as a means of resolving construction disputes, including its role in multi-tiered dispute resolution approaches to international construction, engineering and major infrastructure projects. The moderator and panellists will explore the paradigm shift away from final and binding arbitration as the sole means of dispute resolution to the modern ADR regimes beginning with collaborative contracting, dispute avoidance, amicable settlement, dispute adjudication and arbitration under the auspices of international institutional rules such as UNCITRAL, ICC, and AIAC.

Moderator

Mr. Ransford Braham, QC (Braham Legal, Jamaica)

Panellists

Ms. Karen Gough (39 Essex Chambers, London)

Mr. Anand Juddoo (Juddoo Consulting, Mauritius)

Mr. Maurice Stoppi, CD (Stoppi, Cairney & Bloomfield, Jamaica)

Mr. Robert Cedono (Robert A Cedeno, PA, Trinidad & Tobago/Miami)

16:00 – 16:15

Closing

19:30 – 22:30

Jamaica Night

TICKETS
\$5000



ARBITRATION WEEK 2018

featuring *Jamaica Night*

29 JUNE 2018

7:30PM - 10:00PM

THE RUINS, UWI | MONA VISITORS' LODGE

Jamaica Night will showcase *'Jamaica to the World'*. Visiting participants will get a taste of the Jamaican culture through Music, Fashion and Food, encouraging them to see Jamaica from a more laid back perspective, as the journey continues towards building the jurisdiction as an arbitration centre.

FEATURING

- FOOD & BEVERAGE SAMPLING
- ART DISPLAY
- EDUTAINMENT BY ASHE
- FAB 5 BAND

Put on your dancing shoes & come!



FOR TICKETS CONTACT

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