

Programme 课程设置

Title 主题	Workshop I: Appointment as an Arbitrator 工作坊一：仲裁员的指定
Date and venue 日期与地点	Friday 29 June 2018 – Hong Kong 2018年5月29日，香港
Topics 议题	1.1 General standards 一般标准 1.2 Accepting appointment as an arbitrator 接受仲裁员指定 1.3 Appointment as an arbitrator by the ICC Court 由国际商会仲裁院任命为仲裁员 1.4 Selecting the Chairman 选择首席仲裁员 1.5 Objections to confirmation by the ICC Court 对国际商会仲裁院所确认仲裁员的反对 1.6 Challenges of arbitrator 仲裁员回避 1.7 Replacement / resignation of an arbitrator 替换/辞去仲裁员 1.8 Financial aspects of accepting an appointment 与接受指定相关的财务问题 1.9 Communications with the ICC Court and the Secretariat 与国际商会仲裁院和秘书处的沟通 1.10 ICC as an appointing authority 国际商会作为指定机构
Practical tasks 实践训练	Arbitrator's CV 仲裁员简历 Statement of Acceptance, Availability and Independence Disclosure 接受声明书，可指定性以及独立性披露

	Report on confirmation/challenge/resignation 确认/回避/辞任 报告
Title 主题	Workshop II: Jurisdiction of Tribunal 工作坊二：仲裁庭的管辖权
Date and venue 日期与地点	Friday 21 September 2018 – Mumbai, India 2018年9月21日，星期五 - 印度，孟买
Topics 议题	<p>2.1 Arbitration agreement 仲裁协议</p> <ul style="list-style-type: none"> – Form of arbitration agreement 仲裁协议的形式 – Arbitrability 可仲裁性 – Material terms of arbitration agreement 仲裁协议的重要条款 – Non-signatories: 非签署人 <p>Group of companies doctrine 集团公司学说</p> <p>States 国家</p> <p>Guarantor 担保人</p> <p>2.2 Pre-arbitration procedures 仲裁前程序</p> <ul style="list-style-type: none"> – Pre-arbitration settlement procedure 仲裁前和解程序 – FIDIC contracts FIDIC 合同 <p>2.3 ICC <i>Prima Facie Decision</i> on jurisdiction 国际商会关于管辖权的形式决定</p> <ul style="list-style-type: none"> – Procedure 程序 – Criteria 标准 <p>2.4 Competence-Competence principle 管辖权自治原则</p>

	<ul style="list-style-type: none"> – Parallel proceedings 平行程序 – Anti-arbitration injunctions 反仲裁强制令 <p>2.5 Multiparty, multi-contract, multi-polar arbitrations 多方，多合同，多极性仲裁</p> <ul style="list-style-type: none"> – Appointment of arbitrators 任命仲裁员 – Consolidation 合并 – Advances on costs 仲裁费用预付金 <p>2.6 Interim / Partial award on jurisdiction 管辖权的临时/部分裁决</p>
Practical tasks 实践训练	<p><i>Report on case 案件报告</i></p> <p><i>Interim/partial award on jurisdiction 管辖权的临时/部分裁决</i></p>
Title 主题	<p>Workshop III: Case-management</p> <p>工作坊三：案件管理</p>
Date and venue 日期与地点	<p>Friday 7 December 2018 – Shanghai, China</p> <p>2018年12月7日，周五 – 中国，上海</p>
Topics 议题	<p>3.1 Organizing the work of the Arbitral Tribunal 仲裁庭的组织工作</p> <p>3.2 UNCITRAL Notes on Organizing Arbitral Proceedings 联合国国际贸易法委员会关于组织仲裁程序的说明</p> <p>3.3 Effective case management under the new ICC Rules 根据新的国际商会仲裁规则进行有效的案件管理</p> <p>3.4 Arbitrating small claims: new ICC Rules and guidelines 小额仲裁：新的国际商会规则和指引</p>

	<p>3.5 Terms of Reference 审理范围书</p> <p>3.6 Provisional Timetable 临时时间表</p> <p>3.7 Procedural Order no. 1 一号程序令</p>
<p>Practical tasks 实践训练</p>	<p><i>Drafting the Terms of Reference</i> 起草审理范围书</p> <p><i>Drafting Procedural Order no. 1</i> 起草一号程序令</p> <p><i>Drafting Procedural Timetable</i> 起草程序时间表</p>
<p>Title 主题</p>	<p>Workshop IV: Provisional Remedies, Security for Costs 工作坊四：中间裁决，费用保全</p>
<p>Date and venue 日期与地点</p>	<p>Friday 8 March 2019 – Tokyo, Japan 2019年3月8日 – 日本，东京</p>
<p>Topics 议题</p>	<p>4.1 Available conservatory and interim measures 可用的保全和临时措施</p> <p>4.2 Procedure 程序</p> <p>4.3 Criteria 标准</p> <p>4.4 Counter-security 反保全</p> <p>4.5 Procedural hearing 程序听证</p> <p>4.6 Remedies in case of non-compliance 不遵守情况下的救济措施</p> <p>4.7 Decision on interim measures: Procedural Order for Award? 关于临时措施的决定：关于裁决的程序令？</p>
<p>Practical tasks 实践训练</p>	<p><i>Drafting one of the following procedural orders on the following issues:</i> 起草下列程序令中的一项</p> <p><i>Dismissal of Counsel;</i> 解雇律师</p>

	<p><i>Attachment of Assets; 扣押资产</i></p> <p><i>Confidentiality 保密性</i></p> <p><i>Anti-Arbitration Injunction; 反仲裁禁令</i></p> <p><i>Security for Costs 费用保全</i></p>
Title 主题	<p>Workshop V: Evidence</p> <p>工作坊五：证据</p>
Date and venue 日期与地点	<p>Friday 28 June 2019 – Singapore</p> <p>2019年6月28日，星期五 – 新加坡</p>
Topics 议题	<p>5.1 IBA Rules on the Taking of Evidence 国际律师协会关于取证的规定</p> <p>5.2 Documents on production 文件编制</p> <ul style="list-style-type: none"> – Scope of discovery: 证据开示的范围 – Criteria for documents production 文件编制的标准 – Procedure of documents production 文件编制的程序 – Tribunal’s role in document production 仲裁庭在文件制作中的作用 – Using IT in arbitration 在仲裁中使用信息技术 <p>5.3 Expert reports 专家报告</p> <ul style="list-style-type: none"> – Party appointed vs. tribunal appointed expert 当事人指定 vs. 法庭指定专家 – Identification of issues to be put before the expert 要提交给专家问题的识别

	<ul style="list-style-type: none"> – Identification of expert/ICC expertise 专家/国际商会的专业知识识别 – Management of work with expert 管理与专家的工作 – Should the members of the Arbitral Tribunal act as experts? 仲裁庭成员是否应该成为专家？ <p>5.4 Witness statements 证人陈述</p> <p>5.5 Site inspection 现场检查</p>
Practical tasks 实践训练	<p><i>Drafting the procedural schedule related to document production</i> 起草与文件制作相关的程序清单</p> <p><i>Drafting the order on production of documents (Redfern Schedule)</i> 起草文件编制命令 (Redfern 清单)</p> <p><i>Drafting the procedural Order on appointment of expert</i> 起草有关指定专家的程序令</p>
Title 主题	Workshop VI: Hearing 工作坊六：庭审
Date and venue 时间与地点	Friday 20 September 2019 – Hong Kong 2019年9月20日，香港
Topics 议题	<p>6.1 Organizational Issues 组织相关问题</p> <ul style="list-style-type: none"> – Booking premises 预定前提 – Translation, Transcripts and associated costs 翻译，记录和相 关成本 – Pre-hearing telephone conference 庭审前电话会议 <p>6.2 Management of Hearings 庭审的管理</p>

	<ul style="list-style-type: none"> – Setting the dates & timeframes 设置日期和时间范围 – Setting the schedule for the hearing 设定庭审的时间表 – Housekeeping issues 内部问题 <p>6.3 Conduct of the hearing 举行庭审</p> <ul style="list-style-type: none"> – Adversarial v. inquisitorial style 对抗式 v. 纠问式 – Allocation of time between the parties 双方时间分配 – Examination and cross-examination of witnesses 对证人的询问和交叉询问 – Expert conferencing 专家会议 – Admissible/non admissible conduct 可接受/不可接受的行为
Practical tasks 实践训练	<p>Drafting a letter to the parties inviting them to make proposals with regard to organization of the hearing 起草一封给各方的信，邀请他们就组织庭审提出建议</p> <p>Drafting Procedural order for the hearing 起草庭审程序令</p> <p>Drafting a report on a practical situation 起草实际情况报告</p>
Title 主题	Workshop VII: Award 工作坊七：裁决
Date and venue 时间与地点	Friday 6 December 2019 – Beijing, China 2019年12月6日，星期五 – 中国，北京
Topics 议题	<p>7.1 Deliberations and allocation of work among arbitrators 仲裁员之间的讨论和分工</p> <p>7.2 Interim, partial, final awards 临时、部分、最终裁决</p> <p>7.3 ICC Award Checklist 国际商会仲裁裁决清单</p>

	<p>7.4 Award by consent 经允许的裁决</p> <p>7.5 Form of the award 裁决的形式</p> <p>7.6 Applicable law 适用的法律</p> <p>7.7 Burden of proof 举证责任</p> <p>7.8 Evaluation of evidence 评估证据</p> <p>7.9 Costs and interests. Allocation of costs 费用与利息，费用分配</p> <p>7.10 Dispositive part of the award 裁决的组成部分</p> <p>7.11 Dissenting/concurring 异议/同意</p>
<p>Practical tasks 实践训练</p>	<p><i>Drafting a final award</i> 起草一个最终裁决</p>
<p>Title 主题</p>	<p>Workshop VIII: Scrutiny, Delivering Award, Enforcement 工作坊八：裁决书审查、交付及执行</p>
<p>Date and venue 时间与地点</p>	<p>Friday 6 March 2020 – Singapore 2020年3月6日，星期五 – 新加坡</p>
<p>Topics 议题</p>	<p>8.1 Scrutiny by the ICC Court 国际商会仲裁院的裁决书审查</p> <p>8.2 Signing and notification of the award 签署并通知裁决</p> <p>8.3 Correction/interpretation/remission of awards 更正/解释/减免裁决</p> <p>8.4 Making enforceable awards 做出可执行的裁决</p> <p>8.5 Enforcement proceedings 执行程序</p>
<p>Practical tasks 实践训练</p>	<p><i>Dealing with the ICC Court's comments on the draft award</i> 处理国际商会仲裁院对裁决草案的评论</p>

Drafting the addendum/decision on correction and interpretation
起草关于更正和解释的补充/决定

Programme Moderators 项目核心人员

Vladimir Khvalei	Partner, Baker & McKenzie, Russian Federation; Vice-President, ICC International Court of Arbitration; Member, ICC Institute of World Business Law Baker & McKenzie (俄罗斯) 律师事务所合伙人; 国际商会国际仲裁院副主席; 国际商会国际商法研究院委员
Kim M. Rooney	Arbitrator and Barrister, Gilt Chambers, Hong Kong; Member, ICC International Court of Arbitration 香港 Gilt Chambers 律师行大律师、仲裁员; 国际商会国际仲裁院委员
Matthew Secomb	Partner, White & Case, Singapore; Former Counsel, ICC International Court of Arbitration White & Case (新加坡) 律师事务所合伙人; 国际商会国际仲裁院前法律顾问
Galina Zukova	Partner, Bélot Malan & Associés, France; Member, ICC International Court of Arbitration; Associate Professor, University of Versailles Saint-Quentin 法国 Bélot Malan & Associés 律师事务所合伙人; 国际商会国际仲裁院委员; 凡尔赛大学副教授

With the participation of Members 参会 ICC 成员

Alexis Mourre	President, ICC International Court of Arbitration, Paris 国际商会国际仲裁院主席
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Alexander G. Fessas	Secretary General, Director of Dispute Resolution Services, ICC International Court of Arbitration, Paris 国际商会国际仲裁院争端解决部门主任、秘书长
Pui-Ki Ta	Counsel, Asia Office, ICC International Court of Arbitration, Hong Kong 国际商会国际仲裁院亚洲事务办公室法律顾问
Abhinav Bhushan	Regional Director for South Asia, ICC Arbitration & ADR, ICC International Court of Arbitration, Singapore 国际商会国际仲裁院（南亚地区）仲裁与 ADR 主任
Mingchao Fan	Regional Director for North Asia, ICC Arbitration & ADR, ICC International Court of Arbitration, Shanghai 国际商会国际仲裁院（北亚地区）仲裁与 ADR 主任

Experts 专家

Tan Sri Cecil Abraham	Senior Partner, Cecil Abraham & Partners, Malaysia 马来西亚 Cecil Abraham & Partners 律师事务所高级合伙人
Chiann Bao	Asia Pacific Counsel, International Litigation and Arbitration, Skadden, Arps, Slate, Meagher & Flom LLP, Hong Kong Skadden, Arps, Slate, Meagher & Flom LLP（香港）律师事务所国际诉讼与仲裁部亚太区顾问
John Beechey CBE	Principal, Beechey Arbitration, Hong Kong; Former President, ICC International Court of Arbitration, Paris 香港 Beechey 仲裁律师事务所主任；国际商会国际仲裁院前主席
James Claxton	Professor of Law, Kobe University, Japan 日本神户大学法学教授

Wade M. Coriell	Partner and Head of Asia Disputes, King & Spalding, Singapore 新加坡 King & Spalding 律师事务所亚洲争议解决部负责人， 合伙人
Gavin Denton	Head of Arbitration Chambers, Hong Kong/London, Chairman, ICC Australia Arbitration Committee 澳大利亚国际商会仲裁委员会主席；香港仲裁事务所负责人
Antonias Dimolitsa	Founding Partner, Dimolitsa & Associates, Greece; Vice-Chair, ICC Institute of World Business Law, Paris 希腊 Dimolitsa & Associates 律师事务所创始合伙人；国际商 会国际商法研究院副主席
Yves Derains	Founding Partner, Derains & Gharavi, France; Chairman, ICC Institute of World Business Law, Paris; Former Secretary General, ICC International Court of Arbitration 法国 Derains & Gharavi 律师事务所创始合伙人；国际商会国际 商法研究院主席；国际商会国际仲裁院前秘书长
Jalal El Ahdab	Partner, Ginestié Magellan Paley-Vincent, France; Member, ICC International Court of Arbitration 法国 Ginestié Magellan Paley-Vincent 律师事务所合伙人；国 际商会国际仲裁院委员
Jason A. Fry	Partner, Clifford Chance, France; Former Secretary General, ICC International Court of Arbitration Clifford Chance (法国) 律师事务所合伙人；国际商会国际 仲裁院前秘书长
Michael Hwang	Barrister and Arbitrator, Michael Hwang Chambers LLC, London & Singapore; Alternate Member, ICC International Court of Arbitration Michael Hwang Chambers LLC 律师事务所大律师，仲裁员； 国际商会国际仲裁院候补委员

Fei Ning	Managing Partner, Hui Zhong Law Firm, China 汇仲律师事务所管理合伙人, 中国
Kap-You (Kevin) Kim	Partner, Bae, Kim & Lee LLC, Korea; Vice-President, ICC International Court of Arbitration 韩国 Bae, Kim&Lee LLC 律师事务所合伙人;国际商会国际仲裁院副主席
Christopher Lau SC	Chartered Arbitrator, Christopher Lau, Singapore; Member, ICC International Court of Arbitration 新加坡 Christopher Lau 仲裁事务所特许仲裁员;国际商会国际仲裁院委员
Timothy Lindsay	Director, Lindsay LA, New Zealand; Member, ICC International Court of Arbitration 新西兰 Lindsay LA 律师事务所主任;国际商会国际仲裁院委员
Loretta Malintoppi	Arbitrator, 39 Essex Chambers, Singapore; Council Member, ICC Institute of World Business Law 39 Essex (新加坡) 律师行仲裁员;国际商会国际商法研究院理事会成员
Anna P. Mantakou	Managing Partner, Dr. Anna P. Mantakou Law Office, Greece; Member, ICC International Court of Arbitration 希腊 Anna P. Mantakou 律师事务所管理合伙人 ; 国际商会国际仲裁院委员
Wendy Miles, QC	Partner, Debevoise & Plimpton LLP, United Kingdom; Vice-President, ICC International Court of Arbitration 英国 Debevoise & Plimpton LLP 律师事务所合伙人 ; 国际商会国际仲裁院副主席

Michael Moser	Arbitrator, 20 Essex Street Chambers (London & Singapore), Hong Kong; Honorary Chairman, Hong Kong International Arbitration Centre 20 Essex Street 律师行（伦敦/新加坡）仲裁员；香港国际仲裁中心名誉主席
Ciccu Mukhopadhaya	Senior Advocate, Supreme Court of India, New Delhi, India 印度最高法院资深辩护律师
Karyl Nairn QC	Skadden Arps Slate Meagher & Flom (UK) LLP, United Kingdom Skadden Arps Slate Meagher & Flom（英国）律师事务所
Louie T. Ogsimer	Partner, Romulo Law Firm, Philippines; Member, ICC International Court of Arbitration 菲律宾 Romulo 律师事务所合伙人；国际商会国际仲裁院委员
Yoshimi Ohara	Partner, Nagashima Ohno & Tsunematsu, Japan; Vice-President, ICC International Court of Arbitration 日本 Nagashima Ohno & Tsunematsu 律师事务所合伙人；国际商会国际仲裁院副主席
Robert San Pé	Independent Arbitrator, Arbitration Chambers, Hong Kong; Member, ICC International Court of Arbitration 香港仲裁事务所独立仲裁员；国际商会国际仲裁院委员
Sherina Petit	Partner and Head of India Practice, Norton Rose, United Kingdom 英国 Norton Rose 律师事务所印度业务合伙人及负责人
Michael Polkinghorne	Partner, White & Case, France; Council Member, ICC Institute of World Business Law White & Case（法国）律师事务所合伙人；国际商会国际商法研究院理事会成员

Gagan Puri	Managing Director Global Disputes & Investigations, Navigant, Singapore 新加坡 Navigant 公司全球争议及调查部负责人
Lucy F. Reed	Director, Centre for International Law and Professor, National University of Singapore, Singapore; Vice-President, ICC International Court of Arbitration 新加坡国立大学教授，国际法中心主任；国际商会国际仲裁院副主席
Klaus M. Sachs	CMS Hasche Sigle, Germany 德国 CMS Hasche Sigle 事务所
Eric A. Schwartz	Independent Arbitrator, United States / France; Former Secretary General and Vice-President, ICC International Court of Arbitration; Vice-Chair, ICC Institute of World Business Law 独立仲裁员；国际商会国际仲裁院前秘书长兼副主席；国际商会国际商法研究院副主席
Helen (Hong) Shi	Partner, Fangda Partners, Beijing, China; Alternate Member, ICC International Court of Arbitration 方达律师事务所合伙人；国际商会国际仲裁院候补委员
Ronald Sum	Partner, Troutman Sanders Solicitors and International Lawyers, Hong Kong; Chairman, ICC HK Arbitration and ADR Committee 香港 Troutman Sanders 律师事务所合伙人；香港国际商会香港仲裁与 ADR 委员会主席
Jingzhou Tao	Managing Partner, Dechert LLP, Beijing, China; Member, ICC International Court of Arbitration 德杰律师事务所（北京）管理合伙人；国际商会国际仲裁院委员
Hiroyuki Tezuka	Partner, Nishimura & Asahi, Japan; Member, ICC International Court of Arbitration

	日本 Nishimura & Asahi 律师事务所合伙人; 国际商会国际仲裁院委员
Alan Thambiyah	Arbitrator, The Arbitration Chambers, Singapore; Council Member, ICC Institute of World Business Law; Member, SIAC Court of Arbitration 新加坡仲裁事务所仲裁员; 国际商会世界商法研究院理事会成员;新加坡国际仲裁中心仲裁院委员
Francis Xavier SC	Regional Head, Disputes Practice, Rajah & Tann Singapore LLP, Singapore 新加坡 Rajah & Tann 律师事务所争议解决部区域负责人
Philip Yang	Independent Arbitrator, Hong Kong/China 香港/中国内地独立仲裁员
Byung-Chol (BC) Yoon	Partner, Kim & Chang, South Korea; Member, ICC International Court of Arbitration 韩国 Kim & Chang 律师事务所合伙人; 国际商会国际仲裁院委员
Xi Zhang	Vice-President and General Counsel, Bayer, China 拜耳 (中国) 副总裁兼总法律顾问