



6th Hamburg International Arbitration Days

2-7 April 2022

Hybrid event: in person & online

The Hamburg International Arbitration Days (HIAD) are back in person and with an extended programme, now offering **6 days of events** organised by the Hamburg arbitration community. Unless stated otherwise, all events take place in **hybrid** form at Bucerius Law School and online.

We are looking forward to welcoming you in Hamburg in April!

All information is also available at www.dispute-resolution-hamburg.com/events.

Saturday & Sunday 2-3 April 2022

2 April 11:30 to 3 April 16:00 CET *in person only*

2nd Bucerius Conference on Investment Law and Arbitration

Host: Bucerius Law School

[Invite](#)

Monday 4 April 2022

12:30-13:15 CET *in person only*

HIAD Lunch Reception

[Invite](#)

13:15-14:30 CET

The Phenomenon of the Ailing Arbitrator and its Legal, Practical and Tactical Consequences

Hosts: Baumann Disputes // Taylor Wessing

[Invite](#)

14:45-16:15 CET

HIAD Event: Gleiss Lutz meets Bucerius MLB meets Arbitration: Takes on current developments from Hamburg based practitioners and next generation scientists

Host: Gleiss Lutz

[Invite](#)

16:30-18:00 CET

Insights from Latin America and into a New World: ESG, insolvency and fundamental questions

Hosts: CMS // Luther

[Invite](#)

18:30-20:00 CET

5th Luther Dispute Resolution Lecture: Data Protection and Cybersecurity in Arbitration: Risks and Opportunities

Host: Bucerius Center for Int'l Dispute Resolution

[Invite](#)

Tuesday 5 April 2022

09:00-10:30 CET

online only

Arbitration in Africa

Hosts: LawCom Institute & Hamburg Chamber of Commerce [Invite](#)

11:30-13:00 CET

Funding the Vis Moot Case: Legal and Commercial Insights from a Third Party Funder

Host: Bucerius Center for Int'l Dispute Resolution

[Invite](#)

13:30-19:30 CET

6th HIAD Conference:

Conflict of Laws in Arbitration:

Pervasive and New Issues

Hosts: Bucerius CIDR, CAM-CCBC, HAC, Rechtsstandort Hamb. [Invite](#)

19:30-22:30 CET

in person only

HIAD 4-course Networking Dinner

Host: Bucerius Center for Int'l Dispute Resolution

[Invite](#)

Wednesday 6 April 2022

09:00-18:00 CET

online only

6th CAM-CCBC Hamburg Pre-Moot

Hosts: CAM-CCBC & Hamburg Arbitration Circle

[Invite](#)

Thursday 7 April 2022

10:00-18:30 CET

Conference on Arbitration & Insolvency

Hosts: Bucerius CIDR, Univ. of Hamburg, Univ. of São Paulo

[Invite](#)

Organised by:



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2nd Bucerius Conference on Investment Law & Arbitration

2 April 2022 11:30 to 3 April 2022 15:30 CET | Bucerius Law School

The 2nd Bucerius Law School Conference on Investment Law and Arbitration featuring Dr. Yas Banifatemi and Professor Dr. Kaj Hobér as its Honorary Patrons will take place at Bucerius Law School on April 2 and 3, 2022.

Investment law and arbitration are the workhorses of international economic law. They are heavily relied upon around the globe and have to cope with the demands of countless and increasingly complex proceedings. At the same time, they regularly are the subject of a heated debate in the midst of public opinion. Both of these factors have led to the field of investment protection being a focus of the international legal community and subject to continuous changes. Therefore, investment protection presents an abundance of challenges in its interpretation and application. While these problems are often deeply rooted in the doctrinal foundations of international law, they similarly surface during arbitral proceedings.

Please join our great panelists and moderators in debating these common challenges of academics and practitioners.

Organisational Information & Registration

- The conference takes place in person only.
- Corona restrictions: 2G+ rules apply (i.e. participants must be vaccinated or recovered; additionally, they must have a certificate of a negative antigen test unless they have been vaccinated already at least three times)
- Fees: EUR 10 per conference day, EUR 15 for both days (waivable upon request for students and trainee lawyers)
- Please **register** [here](#) until 29 March 2022.

Programme

Saturday 2 April 2022

11:30 Opening Speech by Kaj Hobér

12:00 Investment Treaties and Challenges in Their Interpretation (chaired by Kaj Hobér)

- Fiscal Sovereignty and Investor-State Dispute Settlement (Pratyush Panjwani)
- In solidum Liability and Scope of Waiver of “Other Proceedings” under International Investment Agreements (Mohamed S. Elzomor and Mohamed A. El Sherif)
- Shareholders Protection under Investment Arbitration (Tilbe Birengel)

13:30 Lunch Break

14:30 Enforcement of Human Rights and Sustainability Goals (chaired by Susanne Schwalb)

- Legitimation through Participation: Can Amicus Curiae Cure the Sustainable Development Wounds of ISDS? (Lena Hornkohl and Arman Melikyan)
- In Favour of Counterclaims by Host States in International Investment Proceedings (Carlo de Stefano)
- Reimagine Eco Oro v. Columbia in Light of Reformed Investment Treaties: Winds of Change? (Laura Létourneau-Tremblay)

16:00 Coffee Break

- 16:30 **The Future of Investment Arbitration in the European Union** (chaired by [Martin Metz](#))
- New Frontiers of Investor-State Arbitration: The New EU Green Energy Deal and the EU as a Future Respondent under the Energy Charter Treaty ([Aikaterini Florou](#))
 - Reconsideration of Intra-EU Decisions in Investment Arbitration: Is the Komstroy Judgment Enough? ([Ivan Levy](#))
 - EU's Role in Regulating Public Political Risk Investment Insurance ([Nataša Vujinović](#))
 - Foreign Investors' Access to Judicial Review in the Investor-State Disputes Regarding the EU FDI Screening ([Yang Wan](#))

19:30 Dinner Buffet & Drinks

Sunday 3 April 2022

- 09:00 **"Domestic" Law Issues in the International Investment Law Regime** (chaired by [Yas Banifatemi](#))
- The Rules on the Service of Process on a Foreign State ([Jonathan Brosseau](#))
 - EU Law as a Matter of Fact: The Implementation of Domestic Law Clauses in EU Investment Agreements ([Bianca Böhme](#))
 - Procedural Challenges in Investment Arbitration: The Standard of Proof for Corruption ([Lilit Nagapetyan](#))

10:30 Coffee Break

- 11:00 **Arbitrator Appointments: Challenges and Developments** (chaired by N.N.)
- To Disclose or Not to Disclose: Addressing Conflicts of Interest in Investment Arbitration through Zero-Knowledge Proofs ([Nihan Kir](#))
 - Party Appointments and Unconscious Bias in Investment Arbitration ([Sanjana Sharma](#))
 - Practice and Theory (or Lack Thereof) of Arbitrator Appointment: Balancing Strategy, Rules, and Standards ([Agata Daszko](#))

12:30 Lunch Break

- 13:30 **Addressing Efficiency and Structural Parity: Procedural Reforms** (chaired by N.N.)
- Structural Challenges in Investor-State Mediation and How to Address Them ([Gerlind Wolf](#))
 - Procedural Discretion in Investment Arbitration ([Hannah Grandits](#))
 - The Emerging Regulation of TPF in ISDS: A Snapshot of the Reform Efforts of ICSID, UNCITRAL, and the European Union ([Anton Burri](#))

15:00 Closing Remarks by [Yas Banifatemi](#) (end of official programme: 15:30)

16:00 Optional Post Conference Event (TBA; not included in conference fees)

Sponsors



Institutional Partners



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6th Hamburg International Arbitration Days

Satellite Events | 4-5 April 2022

Organisational Information & Registration

- Unless stated otherwise, all events take place in **hybrid** form at Bucerius Law School and online.
- Corona restrictions: **2G+ rules** apply (i.e. participants must be vaccinated or recovered; additionally, they must have a certificate of a negative antigen test unless they have been vaccinated already at least three times)
- Fees: free of charge
- Please **register** [here](#) until 30 March 2022.

Monday 4 April 2022

12:30-13:15 **Lunch Reception** *(in person only)* [\[Invite\]](#)

13:15-14:30 **The Phenomenon of the Ailing Arbitrator and its Legal, Practical and Tactical Consequences** [\[Invite\]](#)

With an increasing complexity of disputes and high sums of money involved, the number and volume of submissions and exhibits have exploded, sometimes to a previously unimaginable level. How is the receiving side – the arbitrator – dealing with this complexity problem, in particular in situations where parties entrust such complex and high volume cases to arbitrators who have decades of experience, have seen it all, but have to start paying their tribute to declining health and mental vigor?

– Dr Stephan Wilske | Gleiss Lutz

14:30-14:45 **Coffee Break & Networking** *(in person only)*

14:45-16:15 **Gleiss Lutz meets Bucerius MLB meets Arbitration** [\[Invite\]](#)

A panel of current Bucerius MLB candidates will present their take on current trends and topics in the realm of international arbitration. Gleiss Lutz Disputes Partner and Bucerius alumnus Lukas Schultze-Moderow will stir dispute and the audience is invited to join in the controversy of the discussion.

– Dhanya Thejraj Mallar / Katsiaryna Hashko /
Luisa Fernanda Hernández Sánchez | Bucerius MLB
– Dr Lukas Schultze-Moderow | Gleiss Lutz

16:15-16:30 **Coffee Break & Networking** *(in person only)*

16:30-18:00 **Insights from Latin America and into a New World: ESG, insolvency and fundamental questions** [\[Invite\]](#)

– Katherine Gonzalez Arrocha | Independent Arbitrator
– Javiera Gutierrez | Claro & Cia
– Yael Ribco | Gaillard Banifatemi Shelbaya Disputes
– Anna-Katharina Scheffer da Silveira | MAMG advogados

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Gleiss Lutz

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Tuesday 5 April 2022

09:00-10:30

Arbitration in Africa *(online only)*

[\[Invite\]](#)

Arbitration is the premier option of dispute resolution in business contracts with African partners. The ICC still seems to be the most commonly used arbitration institution, but African arbitration institutions become continually better known and more accepted. Africa is an attractive market for German companies, and Hamburg has a long tradition in doing business with Africa.

- **Professor Emilia Onyema** | SOAS University of London
- **Dr Ismail Selim** | Director of CRCICA

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11:30-13:00

Funding the Vis Moot Case

[\[Invite\]](#)

Legal and Commercial Insights from a Third Party Funder

Third party funding plays an increasingly important role in financing arbitration and litigation proceedings. Yet many jurists are not familiar with the decision making processes behind funding decisions. Using this year's Vis Moot case as an example, the workshop will show how a third party funder approaches funding applications and makes its funding decisions.

- **Thomas Kohlmeier** | Nivalion

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5th Luther Dispute Resolution Lecture

Data Protection and Cybersecurity in Arbitration: Risks & Opportunities

by Jacques de Werra (Professor at the University of Geneva)

4 April 2022 | 18:30 to 20:00 CET | Bucerius Law School & online

Data protection and cybersecurity have become top policy priorities in our digital interconnected world. This also affects the arbitration community as data protection and cybersecurity issues can arise in arbitration proceedings which may require adopting measures to manage them as well as the risks associated to them. However, data protection and cybersecurity can also offer opportunities for arbitration: disputes about data (“data disputes”) and about cybersecurity might be submitted to arbitration under certain conditions. In view of the emerging European data policy ecosystem (in which data sharing will intensify as a result of the upcoming Data Governance Act), it appears likely that more data disputes—and more data arbitration cases—will arise in the future. In his lecture, Prof. Jacques de Werra will discuss these risks and opportunities of data protection and cybersecurity in arbitration.

Jacques de Werra is Professor and Director of the Digital Law Center at the University of Geneva, where he teaches contract law, intellectual property (IP) law and digital law. He holds a Ph.D. from the University of Lausanne and an LL.M. degree from Columbia Law School. Professor de Werra has previously also worked at leading law firms in Switzerland, the U.S. and Belgium. He was visiting professor at Harvard Law School (Hieken Visiting Professor in Patent Law), Stanford Law School and City University of Hong Kong. He lectures, researches, publishes and consults on contract law, IP law and digital law, has widely published in leading law journals and is a panelist at the WIPO Arbitration and Mediation Center as well as on the roster of IP arbitrators of the Hong Kong International Arbitration Center.

Registration

- Corona restrictions: **2G+ rules** apply
(i.e. participants must be vaccinated or recovered; additionally, they must have a certificate of a negative antigen test)
- Fees: free of charge
- Please **register** [here](#) until 29 March 2022.

Organisator



BUCERIUS LAW SCHOOL
HOCHSCHULE FÜR RECHTSWISSENSCHAFT
CENTER FOR INTERNATIONAL DISPUTE RESOLUTION



6th Hamburg International Arbitration Days Conference

Conflict of Laws in Arbitration: Pervasive and New Issues

5 April 2022 | 13:30 to 19:30 CET | Bucerius Law School & online

Conflict of laws questions arise at every corner of international arbitration proceedings. Despite an increasing harmonization of the relevant laws the question which law governs particular procedural or jurisdictional questions or the merits may still be outcome determinative as recent awards and decisions in various jurisdictions show.

The Center for International Dispute Resolution at Bucerius Law School, CAM-CCBC, HAC and Rechtsstandort Hamburg e.V. invite you to join us at the main event of the Hamburg International Arbitration Days debating Conflict of Laws in Arbitration.

Registration

- Corona restrictions: **2G+ rules** apply (i.e. participants must be vaccinated or recovered; additionally, they must have a certificate of a negative antigen test unless they have been vaccinated already at least three times)
- Fees: Conference: EUR 30 (waivable upon request for students and trainee lawyers); Networking Dinner: EUR 125
- Please **register** separately until 29 March 2022 for the [Conference](#) and [Networking Dinner](#).

Programme

- 13:30** Registration & Refreshments
- 14:00** Welcome Address
 - Professor Dr. Stefan Kröll | Bucerius Law School
 - Eleonora Coelho | CAM-CCBC
- 14:15** Conflict of Laws Questions in Arbitration
 - **A (Latin-) American Perspective**
Professor Dr. Nadia de Araujo | Nadia de Araujo Advogados
 - **The Relevance of European Law**
Dr. Reinmar Wolff | University of Marburg – Vice President of DIS
- 15:30** Coffee Break
- 16:00** Mandatory Rules in Arbitration: Disregard or Ex Officio Application?
 - Professor Dr. Giuditta Cordero-Moss | University of OsloConflict Issues Relating to the Arbitrator's Contract
 - Professor Dr. Francisco Satiro | University of São Paulo
- 17:15** Coffee Break
- 17:30** The Law Governing the Arbitration Agreement
 - Assistant Professor Dr. Milena Djorđević | University of Belgrade
- 18:15** Closing Remarks (Dr. Elke Umbeck | Hamburg Arbitration Circle)
- 18:30** Networking Reception
- 19:30** Networking Dinner *(not included in conference fees; separate registration required)*

Hosts


BUCERIUS LAW SCHOOL
HOCHSCHULE FÜR RECHTSWISSENSCHAFT
CENTER FOR INTERNATIONAL DISPUTE RESOLUTION


CENTER FOR ARBITRATION AND MEDIATION


HAMBURG
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Networking Dinner

5 April 2022 | 19:30 CET | VLET Restaurant, Am Sandtorkai 23/24

The Hamburg International Arbitration Days Conference will be followed by a **four-course** networking dinner in the exclusive restaurant VLET. It is located in the historic Speicherstadt (warehouse city), part of the Hamburg harbour area.

The registration fee includes a four-course meal as well as beverages (welcome drink, wine, water, juice & coffee/tea). Spaces are limited and will be allocated in order of registration.

Registration

- Corona restrictions: 3G rules apply
(i.e. participants must be fully vaccinated, fully recovered, or tested negative for COVID-19)
- Fees: EUR 125
(includes a four-course meal and beverages [welcome drink, wine, water, juice & coffee/tea])
- Please **register** [here](#) until 29 March 2022.

Host


BUCERIUS LAW SCHOOL
HOCHSCHULE FÜR RECHTSWISSENSCHAFT
CENTER FOR INTERNATIONAL DISPUTE RESOLUTION



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Conference on Arbitration & Insolvency

7 April 2022 | 10:00 to 18:30 CET | Bucerius Law School & Zoom

Arbitration proceedings encounter different obstacles when one of the parties is insolvent. Effectiveness and scope of the arbitration agreement are in question, arbitration proceedings have to be coordinated with the insolvency proceedings, and conflict of laws issues are given particular weight. This applies equally to national and international arbitration. Speakers from both the insolvency law and arbitration law worlds will address the issues associated with this topic.

The Center for International Dispute Resolution at Bucerius Law School, the University of Hamburg and the University of São Paulo invite you to join the debate on arbitration and insolvency.

Registration

- Corona restrictions: **2G+ rules** apply (i.e. participants must be vaccinated or recovered; additionally, they must have a certificate of a negative antigen test unless they have been vaccinated already at least three times)
- Fees: EUR 50 (waivable upon request for students and trainee lawyers)
- Please **register** [here](#) until 29 March 2022.

Programme

- 10:00** **Opening Remarks**
- Professor Dr. Dr. h.c. mult. Katharina Boele-Woelki | Bucerius Law School
 - Professor Dr. Stefan Kröll | Bucerius Law School
- SESSION I** Chair: Professor Dr. Reinhard Bork | University of Hamburg
- 10:15** **Arbitrating With Creditors and Debtors: the Pros and Cons**
- Professor Dr. Lucas Flöther | Flöther & Wissing
- 10:45** **Coffee Break**
- SESSION II** Chair: Dr. Torsten Lörcher | CMS Germany
- 11:15** **The Arbitrability of Insolvency Related Claims and Other Restrictions: General Approach**
- **Germany and selected European Countries**
Professor Dr. Reinhard Bork | University of Hamburg
 - **Brazil and Selected Other Jurisdictions**
Professor Dr. Francisco Satiro | University of São Paulo
- 12:00** **Coffee Break**
- 12:15** **The Scope of the Arbitration Clause: Ratio Personae**
- Dr. Manuel Penades | King's College London
- 13:00** **Lunch**

SESSION III Chair: Professor Dr. Francisco Satiro | University of São Paulo

- 14:00** **Specific Rights of the Insolvency Practitioner (Election and Termination Rights)**
– Dr. Vesna Lazić | Associate Professor Utrecht Univ.; Senior Researcher T.M.C. Asser Instituut
Arbitration and Avoidance Claims
– Ph.D. Candidate Bárbara Gadig, LL.M. | University of São Paulo; University of Lisbon
Insolvency and Arbitration: A Few Procedural Questions
– Professor Dr. Maria de Lurdes Pereira | University of Lisbon

15:15 **Coffee Break**

SESSION IV Chair: Professor Dr Reinhard Bork | University of Hamburg

- 15:45** **Post-Petition Arbitration Agreements**
– Professor Dr. Christoph Thole | University of Cologne

SESSION IV Chair: Elias Mubarak | MedArb & Ph.D. Candidate Bárbara Gadig, LL.M. | University of São Paulo

- 16:30** **Arbitration, Insolvency and the Work of UNCITRAL**
– Professor José Angelo Estrella-Faria | UNCITRAL Secretariat, International Trade Division
Arbitration and “Foreign” Insolvency Proceedings: Conflict of Laws Question
– Professor Dr. Stefan Kröll | Bucerius Law School

- 17:45** **Closing Remarks**
– Professor Dr. Reinhard Bork | University of Hamburg
– Professor Dr. Francisco Satiro | University of São Paulo

18:00 **Reception**

Hosts



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Arbitration in Hamburg

As an old merchant city, Hamburg has a long and rich history of international trade and arbitration. It is home to almost a dozen arbitral institutions of general and specialised jurisdiction as well as leading academic institutions and boasts an active arbitration community.

Home to broad range of arbitral institutions

With the **Hamburg International Arbitration Center (HIAC)**, Hamburg possesses a central point of contact for all matters related to arbitration in Hamburg and superb hearing facilities. Additionally, the website www.dispute-resolution-hamburg.com, an initiative by the association **Rechtsstandort Hamburg e.V.**, lists arbitrators and provides easy access to practical information relating to conducting arbitrations in Hamburg.

The HIAC is located at the Hamburg Chamber of Commerce which administers arbitrations based on the rules of various institutions, including the **Court of Arbitration of the Hamburg Chamber of Commerce**, the **Chinese European Arbitration Center (CEAC)**, the **European-Latinamerican Arbitration Center (ELArb)**, the **Logistics Court of Arbitration**, and the **Arbitration Board of the German Coffee Association**. It is also the appointing authority for *ad hoc* arbitrations pursuant to the **Hamburg Friendly Arbitration**.

In addition, the courts of arbitration of the **German Grain Traders Association (VdG)** and of the **German Association of Wholesale Traders in oils, fats and oil resources e. V. (GROFOR)** are located here. Further arbitral institutions in Hamburg are the **German Maritime Arbitration Association (GMAA)** and the **Warenverein**, a commodity arbitration institution.

Dynamic arbitration scene & leading academic institutions

Hamburg features a dynamic arbitration community which actively engages through various fora, such as the **Hamburg Arbitration Circle**, Arbitration Brown Bag Lunches, and a range of below 40 organisations (**DIS40**, **GMAA40**, **Young CEAC**). Besides the many law firms active in arbitration matters, Hamburg also benefits from the presence of three leading academic institutions (**Center for International Dispute Resolution at Bucerius Law School**, **Max-Planck-Institute for Private International Law**, and the **University of Hamburg**), facilitating a regular and rich exchange between practice and academia.

