Programme for the Congress

Modernizing International Trade Law to Support Innovation and Sustainable Development

to celebrate the 50th annual session of UNCITRAL

4-6 July 2017

9.30 a.m. to 5.00 p.m.
Board Room D
Vienna International Centre
Day 1, 4 July 2017

08.00- 09.30 Registration of participants

09.30- 09.50 Opening of the Congress
  H.E. Mr. Wolfgang Brandstetter, Federal Minister of Justice, Republic of Austria

  Welcoming remarks
  Mr. Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and the United Nations Legal Counsel

09.50- 12.30 UNCITRAL’s contributions to the harmonization and modernization of the law of international trade and commerce

  Session 1 – Contributions of UNCITRAL texts to the Sustainable Development Goals: economic growth, development and institution-building under goals 8, 9, 16 and 17

  International, regional and national perspectives
  Mr. Magloire Ondoa, Minister of Trade, Cameroon
  H.R.H. Sheikha Haya Bint Rashed Al-Khalifa, Chair of the Board of Trustees of the BCDR-AAA, Bahrain
  Mr Li Chenggang, Assistant Minister, People’s Republic of China
  Mr. Dorothé Cossi Sossa, Secrétaire Permanent de l’OHADA
  Mr. Choong-hee Hahn, former Chairman of UNCITRAL, Republic of Korea
  Ms. Marie-Anne Birken, General Counsel, EBRD
  Mr. Mahesh Uttamchandani, Global Practice Manager - Finance and Markets, The World Bank Group

11.30- 12.20 Panel discussion: Qualitative and quantitative benefits in the use of Model Laws

  Mr. Andrew Myburgh, Senior Economist, IFC (World Bank Group) and Mr. Jordi Paniagua, Catholic University of Valencia, Spain: The impact of UNCITRAL on FDI*
  Mr. Reinmar Wolff, University of Marburg, Germany: Model Laws as Instruments for Harmonization and Modernization *
  Mr. Mohamed Y. Mattar, Qatar University College of Law: Harmonization of National Legislation through Model Laws: From UNCITRAL to the League of Arab States and the Gulf Cooperation Council*

12.20- 12.30 Concluding remarks
12.30 Lunch break

* This participant has submitted a paper for the Congress, whose title is in italics
12.45 Side event – tbc

14.00-16.20 Session 2 – Creative international law-making in the international trade law context

Panel discussion: UNCITRAL law-making in corporate insolvency, transport of goods by sea and secured transactions

Introduction from the Moderator, Ms. Kathryn Sabo, Chairman of UNCITRAL Working Group VI (Security Interests); General Counsel, International Private Law Section, Department of Justice, Canada

Panellists: Ms. Susan Block-Lieb, Fordham University School of Law, United States of America
Mr. Terence C. Halliday, Northwestern University, United States of America; Australian National University

Panel discussion: The regional dimension of law-making in UNCITRAL

Introduction from the Moderator, Mr. Michel Nussbaumer, Chief Counsel, European Bank for Reconstruction and Development

Panellists: Ms. Salla Saastamoinen, Director, Directorate-General for Justice and Consumers, Directorate A Civil and Commercial Justice, European Commission
Mr. Harold (Hal) Burman, former U.S. State Department, Office of Legal Adviser, United States of America
Mr. Rafael Illescas, Spain, former Chairman of UNCITRAL
Mr. Fernando Dias Simoes, Macau SAR, People’s Republic of China

Panel discussion: Opportunities and challenges in the use of UNCITRAL models

Introduction from the Moderator, Mr. Don Wallace, Georgetown University, Chairman, International Law Institute, United States of America

Panellists: Mr. John Pottow, University of Michigan Law School, United States of America
International Insolvency Law’s Cross-Roads and the New Modularity*

Mr. Corrado Malberti, University of Trento, Italy
The Reduction of the Legal Obstacles Faced by MSMEs in the Footsteps of the Previous Attempts at Harmonizing Company Law: Will the UNCITRAL Reinvent the Role of Harmonization in Company law?*

Ms. Ana Teresa de Abreu Coutinho Boscolo, Brazil
Challenges on the harmonization and the unification of international commercial law*

Comments, evaluation and discussion

* This participant has submitted a paper for the Congress, whose title is in italics
16.15-17.00 Session 3 – Considerations on the benefits of UNCITRAL texts and working methods of UNCITRAL

Panel discussion, led by Chairman and Secretary of UNCITRAL

Panellists: Mr. Gerold Herrmann, former Secretary, UNCITRAL, Germany
Mr. Jurek Sekolec, former Secretary, UNCITRAL, Slovenia
Mr. Oh Soo-geun, former Chairman of UNCITRAL, Republic of Korea

[other speakers]

Day 2 – 5 July 2017

09.30-11.30 Session 4 - Developments in the law of international trade and commerce: Integrated systems to support cross-border trade

Introduction from Moderator, Ms. Jean Heilman Grier, formerly of the Office of the United States Trade Representative, United States of America

Legal issues arising in digital contracts and in digital property

Ms. Christiane Wendehorst, University of Vienna and European Law Institute, 
Reconsidering legal instruments in the light of a new stage in digitalisation *

Ms. Sjef van Eer, Maastricht University, The Netherlands, Ownership of data and the numerous clausus of legal objects *

Comments, evaluation and discussion, led by

Ms. Jean Heilman Grier, formerly of the Office of the United States Trade Representative, United States of America

Blockchain and smart contracts

Mr. Koji Takahashi, Doshisha University, Japan, Implications of the Blockchain Technology for the UNCITRAL works *

Mr. Scott Farrell, King & Wood Mallesons, Australia, Lost and found in smart contract translation – considerations in transitioning to automation in legal architectures *

Mr. Riccardo de Caria, University of Torino, Italy, A digital Revolution in International Trade? The International Legal Framework for Blockchain Technologies, Virtual Currencies and Smart Contracts: Challenges and Opportunities *

Ms. Sara Hourani, Bournemouth University, United Kingdom, Cross-border Smart Contracts: Boosting International Digital Trade through Trust and Adequate Remedies *

Comments, evaluation and discussion, led by

Mr. Alex Ivanco, Head of International Law Unit, Ministry of Industry and Trade, Czech Republic

4 * This participant has submitted a paper for the Congress, whose title is in italics
Transport, trade facilitation and payments

Ms. Maria Chiara Malaguti, Catholic University of the Sacred Heart, Italy; Chairman of UNCITRAL Working Group I (MSMEs), Possible future work of UNCITRAL in the field of payments

Ms. Trisha Rajput, University of Gothenburg, Sweden, Information Management in International Trade: Role of UNCITRAL in Advancing International Single Window Environment*

Mr. Abhinayan Basu Bal, University of Gothenburg, Sweden, Can UNCITRAL Instruments Advance Supply Chain Finance to Benefit Small and Medium Enterprises?*

Mr. Ezequiel T. Condoluci Santa Maria, Queen Mary University of London, United Kingdom, Logistics Contracts: Outdated International Regulation?*

Ms. Teresa Rodríguez-de-las-Heras Ballell, Universidad Carlos III de Madrid, Spain, Rules for electronic Platforms: the role of platforms and intermediaries in digital economy*

Comments, evaluation and discussion, led by Mr. Agustin Madrid Parra, former Chairman, UNCITRAL Working Group IV (Electronic Commerce), Spain

Concluding remarks by the Moderator Ms. Jean Heilman Grier, formerly of the Office of the United States Trade Representative, United States of America

11.30-12.30 Session 5 - Developments in the law of international trade and commerce: the credit economy

Secured finance and regulatory considerations

Introduction from the Moderator, Mr. Bénédict Foëx, University of Geneva, Switzerland

Mr. Marek Dubovec, National Law Center for Inter-American Free Trade and Mr. Giuliano Castellano, University of Warwick, United Kingdom, Coordinating Secured Transactions Law and Capital Requirements*

[Other speakers]

12.30 Lunch break; Side event: TBC

12.45 14.00-14.30 Continuation of Session 5 – the credit economy

Regional perspectives on secured finance law reform

Ms. Hilleni Tangi N. Shikongo Legal Officer, Office of the Attorney-General, Namibia, A review of Security Rights over Moveable Property in Namibia *

Mr. Chang-Ho Chung, International Criminal Court, Republic of Korea

[Other speakers]

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Session 6 - Developments in the international law of trade and commerce: exit strategies and efficient and effective insolvency regimes

Roundtable discussions
Introduction and reflections on harmonization of the law and practice of insolvency

Mr. Wisitsora-At, Chairman of UNCITRAL Working Group V (Insolvency Law), Director-General, Department of Juvenile Justice, Thailand
Ms. Kathryn Sabo, General Counsel, International Private Law Section, Department of Justice, Canada; Chairman of UNCITRAL Working Group VI (Security Interests)
Mr. Neil Cooper, INSOL International

Emerging issues in insolvency

Mr. Samuel Bufford, Pennsylvania State University, United States of America, Alternative dispute resolution and insolvency*
Mr. Steven Schwarcz, Duke University/CIGI, Duke Law School, United States of America, A proposal for UNCITRAL research: A model-law approach to sovereign debt restructuring*
Mr. Edward Janger, Brooklyn Law School, United States of America, A Global Architecture for Resolution of Financial Institutions*
Ms. Antonia Menezes/Mr. Andres Martinez, World Bank, Micro, Small and Medium Enterprise Insolvency in Africa: a comparative study*
Mr. Chris Redmond, Member-US delegation to Working Group V (Insolvency Law), Husch Blackwell LLP, United States of America, Asset tracing and recovery
Mr. John Martin, Australia, Conflict and Consistency in Cross border Insolvency Judgments*
Ms. Maisie Ooi, University of Oxford, United Kingdom, Cross-border Insolvency and its Threat to International Trade: Proposal for a Comprehensive UNCITRAL solution*
Mr. Ángel María Ballesteros, Union Internationale des Avocats (UIA), Reflexiones sobre la unificación de las normas de Derecho internacional privado aplicables a los procedimientos de insolvencia transfronteriza*
Ms. Chindar Teo, Queensland University of Technology, Australia, The Certainty of Choice of Law Rules in the Uncertain World of International Bank Insolvency*

Discussion and concluding remarks
Mr. Neil Cooper, INSOL International

18.30 Cocktail reception to celebrate the 50th Anniversary in the Vienna City Hall (Rathaus), Friedrich-Schmidt-Platz 1, 1010 Vienna, - hosted by the City of Vienna and the Vienna International Arbitral Centre (VIAC)

Day 3 – 6 July 2017

6 * This participant has submitted a paper for the Congress, whose title is in italics
09.30 - 12.30  Sessions 7-9 Developments in the settlement of commercial disputes

Session 7 - Reform of investor-state dispute settlement

Roundtable discussion on rationale for reform, a possible roadmap and technical assistance to States

Introduction from the Moderator: Ms. Gabrielle Kaufmann-Kohler, Lévy Kaufmann-Kohler / University of Geneva Law School, Switzerland

Panellists: Mr. Salim Moollan, former Chairman of UNCITRAL, Mauritius
Ms. Yas Banifatemi, Shearman & Sterling, France
Mr. Andre von Walter, Dispute Settlement and Legal Aspects of Policy, Directorate General for Trade, European Commission
Mr. Andre von Walter, Dispute Settlement and Legal Aspects of Policy, Directorate General for Trade, European Commission
Mr. James Castello, King and Spalding International LLP, France
Mr. Andrés Jana L., Bofill Mir & Alvarez Jana, Chile
Mr. Diego Fernandez Arroyo, Secretary General, International Academy of Comparative Law; Co-Director of Global Governance Studies, Sciences Po Law School, France
Mr. Shane Spelliscy, Counsel, Department of Foreign Affairs and International Trade, Trade Law Bureau, Canada

Interventions from the floor

Concluding remarks from the Moderator: Ms. Gabrielle Kaufmann-Kohler, Lévy Kaufmann-Kohler / University of Geneva Law School, Switzerland

Session 8 – International commercial arbitration and conciliation

Panel discussion: International framework on arbitration: where are the needs?

Introduction from the Moderator: Mr. Michael Schneider, Lalive Avocats, Switzerland, former Chairman of Working Group II (Dispute settlement); Lalive Avocats, Switzerland

Panellists: Ms. Emmanuel Guillard, Chairman, International Arbitration Institute (IAI); Shearman & Sterling, France
Mr. Toby Landau QC, Essex Court Chambers, United Kingdom
Mr. Alexander Komarov, Member of the Presidium of the International Commercial Arbitration Court at the Russian Federation Chamber of Commerce and Industry, Russian Federation

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Mr. Alvaro Galindo, Dechert LLP, United States of America

Panel discussion: International framework on arbitration: where are the needs?

Mr. George Bermann, Columbia University School of Law, United States of America

Ms. Alice Fremuth-Wolf, Deputy Secretary General, Vienna International Arbitral Centre (VIAC), Austria

Ms. Natalie Yu-Lin Morris-Sharma, Chairman of Working Group II, UNCITRAL, Singapore

Concluding remarks from the Moderator: Mr. Michael Schneider, Lalive Avocats, Switzerland, former Chairman of Working Group II (Dispute settlement); Lalive Avocats, Switzerland

Session 9 – New frontiers in dispute settlement

Panel discussion on emerging issues

Introduction from the Moderator, Mr. Gaston Kenfack Douajni, UNCITRAL Chair, Directeur de Législation, Ministère de la Justice, Cameroun

Panellists: ODR - New developments - Ms. Janet Martinez, Stanford University, Law School, United States of America

The use of technology in dispute settlement - Ms. Dalma Demeter, University of Canberra, Australia, Putting technology at the service of access to justice, cultural diversity and dispute resolution development

Bilateral arbitration treaties – Mr. Gary Born, Wilmer Cutler Pickering Hale and Dorr, United Kingdom, Presentation of the "bilateral arbitration treaties" project

Concluding remarks from Mr. Werner Melis, former President of Vienna International Arbitral Center (VIAC)

12.30 Lunch break; Side event: TBC

14.00-16.50 Sessions 10-13 - Harmonization and modernization of the law of international trade and commerce in practice: enhancing the implementation and interpretation of UNCITRAL texts

Session 10 - Dispute settlement

Introduction from the Moderator, Mr. Hrvoje Sikiric, former Chairman of UNCITRAL; University of Zagreb, Croatia

Panel discussion on implementation and effective understanding of UNCITRAL texts on Dispute Settlement

Panellists:

The New York Convention Guide - Ms. Yas Banifatemi, Shearman & Sterling, France

The Digest of Case Law on the Model Law on Arbitration - Mr. Stefan Kroell, Director of the Willem C. Vis Arbitration Moot, Germany

The Swiss Arbitration Association Toolbox as a means to promote the UNCITRAL Notes on Organizing Arbitral Proceedings - Mr. Michael Schneider, Lalive Avocats, Switzerland, former Chairman of Working Group II (Dispute settlement); Lalive

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Avocats, Switzerland, and panellist tbc

Session 11 - Implementing the Convention on Contracts for the International Sale of Goods

Introduction from the Moderator, Mr. Henry D. Gabriel, Elon University School of Law, United States of America

Panel discussion on national use of the Convention on Contracts for the International Sale of Goods

Panellists: Ms. Mary Wallace, University of East Anglia School of Law, How 'International' is International Commercial Law?
Ms. Judit Glavánits, Széchenyi István University, Faculty of Law and Political Science, Hungary, How do you mean it, CISG? Applying the CISG more “21st Century”-Way*
Ms. Petra Butler, Victoria University of Wellington, New Zealand and CLOUT National Correspondent, New Zealand
Ms. Mona Ahadi, University of Durham School of Law, United Kingdom, The adoption of the CISG in Iran: Practical Difficulties in Implementing the CISG*

Interveners: Mr. Zuoli Jiang, Shandong University Law School, People’s Republic of China, In Favor of Appropriate Dynamic Interpretation for the CISG’ Legal Uniformity*
Mr. Abdullah Abdullah, Qatar University College of Law, Qatar, Towards the implementation of International Civil and Commercial Law: A call for Qatar to join the CISG*

Concluding remarks from the Moderator, Mr. Henry D. Gabriel, Elon University School of Law, United States of America

Session 12 – Approaches to keeping UNCITRAL texts up to date

Introduction from the Secretariat

Panel discussion on keeping UNCITRAL texts on public procurement and PPPs up to date

Panellists: Ms. Sue Arrowsmith, University of Nottingham, United Kingdom and Mr. Christopher Yukins, George Washington University, United States of America, Is the UNCITRAL Model Law on Public Procurement in need of updating?
Mr. Martin Trybus, University of Birmingham, United Kingdom, Small and medium-sized enterprises and the division of contracts into lots*
Ms. Marcelle Van Valkenburg, Ministry of Infrastructure and the Environment, The Netherlands, Dutch PPP tendering infrastructure into the equation*
Ms. Tricia Chin, Trinidad and Tobago, A view from users of the Model Law in the Caribbean region

Concluding remarks from Mr. John Linarelli, University of Durham, United Kingdom

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Session 13 – Cataloguing developments in international trade law

Introduction from the Moderator, Mr. Renaud Sorieul, The Secretary, UNCITRAL, and Director, International Trade Law Division, United Nations Office of Legal Affairs

Panel discussion on coordination, knowledge-gathering and knowledge dissemination

- Hague Conference on Private International Law (tbc)
- Mr. José Angelo Estrella Faria, Secretary-General, International Institute for the Unification of Private Law (Unidroit)
- Mr. James Ding, Ministry of Justice, Hong Kong SAR
- Mr. Don Wallace, Professor Emeritus and Adjunct Professor, Georgetown University, Chairman, International Law Institute, United States of America

Concluding remarks

16.50-17.00 Closing address

Mr. Renaud Sorieul, The Secretary, UNCITRAL, and Director, International Trade Law Division, United Nations Office of Legal Affairs

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