
This Newsletter offers a valuable insight on the arbitration news for the months of May and June 2016

LEGAL NEWS

The Tecnimont Saga continues

On 12 April 2016, the Paris Court of Appeal rendered a 5th decision in the “Tecnimont” case, dismissing the application by the company J&P Avax (“Avax”) to set aside a partial award rendered on 10 December 2007 on the basis that the Arbitral Tribunal was not properly constituted. As a reminder, this case involves [...]

[*The article is available here*](#)

The Hague District Court has set aside the six awards issued in the Yukos v. the Russian Federation case

The Hague District Court (Commercial chamber) – Judgment of 20 April 2016 The legal fight opposing the former Yukos’ majority shareholders against the Russian Federation has taken a new turn since a judgment issued on 20 April 2016 by the Hague District Court permitted the Russian Federation to mark a decisive victory in this large-scale [...]

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Annulment of an award for breach of due process: substitution of grounds without previous discussion with the parties

On 15 March 2016, the Paris Court of Appeal annulled an award for breach of due process (Article 1520, 4° of the French Code of Civil Procedure) on the grounds that, without inviting the parties to discuss the issue, the Arbitral Tribunal had replaced a claim for the allocation of the principal of a sentence [...]

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Exclusive jurisdiction of the judicial judge for appeals and enforcement orders – a missed opportunity

On 18 May 2016, the National Assembly debated a promising amendment, as part of the draft bill “21st Century Justice”. The amendment, n° 395, aimed at granting exclusive jurisdiction to the judicial judge, and more precisely to the Paris Court of Appeal, to judge all appeals against international arbitration awards and against the enforcement orders [...]

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EVENTS

Conference on “Arbitration and Weak Parties”

On 9 May 2016, the opening conference of the Arbitration Week CIAM – Serge Lazareff, “Arbitration and Weak Parties”, of which the Centre de Médiation et d’Arbitrage de Paris (“CMAP”) and ALTANA were partners, was

held at France-Amérique. Scholars, practitioners and arbitration users met for an interactive conference on the themes: the weak party revealed [...]

[*The article is available here*](#)

Equal Representation in Arbitration Pledge launched

On 18 May 2016, the Equal Representation in Arbitration Pledge, of which Caroline Duclercq is a member of the Steering Committee, was launched. The Pledge is signed by a group of counsel, arbitrators, representatives of corporates, states, arbitral institutions, academics and others involved in the practice of international arbitration, who are “committed to improving the profile and [...]

[The article is available here](#)

Training by the AFA “Cross-examination of witnesses: quand la common law s’invite chez les civilistes”, Paris, 1 June 2016

On 1 June 2016, was held a training on “Cross-examination of witnesses”, organized by the Association For Arbitration (AFA). Caroline Duclercq notably intervened on the determination and choice of witnesses and on

ethical issues concerning witness preparation. This training session was very interactive and numerous debates were held with the participants. Due to its success, another training [...]

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1st “Etats Généraux” of Arbitration organized by the CNB

Caroline Duclercq will intervene, on 30 June 2016, in the 1st “Etats Généraux” of Arbitration organized by the National Bar Council, in the context of the practical workshop “Advocacy or the lawyer’s pleading activity in arbitration”. These first “Etats Généraux” “Do arbitration!” aim at promoting arbitral practice and will focus on four themes: Arbitration, how? [...]

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