

17th ICC TÜRKİYE ARBITRATION DAY

21 October 2022

Fairmont Quasar Hotel, İstanbul

PROGRAMME

09.30 – 10.00

Registration

10.00 – 10.30

OPENING SESSION

- **M. Rifat Hisarcıklıoğlu**
President of TOBB and Chair of the Board of ICC Türkiye National Committee
- **Ms. Claudia Salomon**
President of the ICC International Court of Arbitration, Paris
- **HE. Bekir Bozdağ**
Minister of Justice, Republic of Türkiye (TBC)

10.30 – 10.50

INTRODUCTORY SESSION: Sharing 2021 highlights of the ICC Court: An overview focusing on Türkiye and MENA

Speaker:

- **Dr. Dania Fahs**, Director, ICC Arbitration and ADR, Middle East, Dispute Resolution Services, *Abu Dhabi*

10.50– 11.30

FIRESIDE CHAT WITH CLAUDIA SALOMON

Guest Speaker: Mr. Başar Arıoğlu, Chairman of Yapı Merkezi Construction and Industry, İstanbul

11.30 – 12.00

Coffee break

12.00 – 13.30

PANEL I: Recent Developments in Türkiye International Arbitration Caselaw

- Consolidation and severance of arbitration proceedings
- Other procedural issues

Speakers:

- **HD. Judge Dr. Adem Aslan**, Member of the 11th Civil Chamber, Court of Cassation, Ankara
- **HD. Judge Nevzat Boztaş**, Chair of 14th Civil Chamber, İstanbul Regional Court of Justice, İstanbul
- **Prof. Dr. Korkut Özkorkut**, Professor, Ankara University Faculty of Political Sciences; Co-Chair of ICC Türkiye Arbitration and ADR Commission, Ankara

Moderator:

- **Prof. Dr. Sibel Özel**, Marmara University, Faculty of Law, Department of Private International Law, İstanbul

13:30 – 14:30

Lunch

14:30 – 16:00

PANEL 2: The landscape of construction disputes in Türkiye in the aftermath of the pandemic: navigating the disruptions and anticipating future trends

- The disputes and arbitration landscape in Türkiye has been largely dominated over the last decade by largescale infrastructure projects. This sector has suffered severe disruptions during the pandemic that have translated sometimes in insolvency proceedings, restructuring etc. To what extent have these complex issues permeated the arbitration proceedings adding a significant layer of complexity?
- The increasing role of investment arbitration in the construction sector in Türkiye: Practical insights and an overview of the ICC Rules provisions introduced in the 2021 revision

Speakers:

- **Ms. Stella-Eirini Leptourgou**, Counsel, ICC Secretariat – Eastern Mediterranean and Middle East Team, Paris
- **Dr. Simon Gabriel LL.M.**, Partner GABRIEL Arbitration, Zurich
- **Dr. Mehmet Karlı**, Partner, Kabine Law Office, Istanbul

Moderator:

- **Ms. Bennar Aydoğdu**, Founder, BennArb Law Firm; ICC Court Member; Co-Chair of ICC Türkiye Arbitration and ADR Commission, Bursa

16.00 – 16.15

Coffee break

16.15 – 17.45

PANEL 3: Mediation - exploring the full potential of this alternative dispute resolution mechanism

An inclusive and preventive approach to dispute resolution: the interplay between arbitration and other ADRs:

- The interplay between arbitration and other mechanisms like mediation, expertise, dispute boards (complimentary? or substitutable?)
- The multi-tier disputes clauses: advantages and drawbacks
- Uncertainty whether it is a binding condition precedent or not? An issue of admissibility or jurisdiction?
- Risks associated with failure to comply with such clauses.
- The different thresholds across various jurisdictions – special focus on the treatment by Turkish courts of such clauses

Speakers:

- **Prof. Dr. Sebnem Akipek Öcal**, TED University, Ankara
- **Ms. Diana Paraguacuto-Maheo**, Managing Partner, Foley Hoag LLP, Paris
- **Dr Pierrick Le Goff**, Partner, De Gaulle Fleurance, Arbitrator, Affiliate Professor, Paris
- **Assoc. Dr. Eda Manav Özdemir**, Head of International Arbitration and Alternative Solutions Department, Presidency of the Republic of Türkiye, Ankara

Moderator:

- **Ms. Alya Ladjimi**, ICC ADR Centre Manager, Paris

17.45

CLOSING REMARKS