

## **IBA Arb40 Toolkit for Award Writing**

### **Training Programme at CRCICA – Monday 11 December 2017**

#### Morning Session

8:30 – 9:00 (Amani Khalifa/Mohamed Salah Abdel Wahab)

#### **Welcome and Introduction to the Toolkit and Training Programme**

Drafting your first arbitration awards can be a daunting task, even for seasoned arbitration counsel. The IBA Arb40 Toolkit is designed to offer practical guidance and tips for getting started and writing a reasoned and enforceable award.

During the training, the participants will split into several groups, and review the hypothetical award and the underlying papers, with a view to presenting the discovered flaws in the award and redrafting or outlining corrected award sections. The instructor will be leading this segment, and assign topics to the groups.

9:00 – 9:30 (Antonia Birt)

#### **Formal and Procedural Requirements of Arbitral Awards**

Instructor will present the fundamental legal and procedural necessities of an enforceable award. Distinguishing among final awards, preliminary awards and procedural orders. Requirements under the New York Convention for recognition and enforcement.

9:30 – 10:00 (Mohamed Shelbaya)

#### **Practical Considerations for Drafting an Award**

In addition to all the substantive drafting, arbitrators must also focus on essential practical details for a successful award. The instructor for this topic will cover time management, language of

the award, signature and date, notification of the award, confidentiality obligations, costs and the potential role of a tribunal secretary.

10:00 – 10:15 *Morning coffee break*

10:15 – 10:45 (Karim Hafez)

### **Content of the Award**

The instructor for this topic will provide the substantive requirements and best practices for the content of an award, including the administrative and procedural information, procedural history, basis of jurisdiction, applicable laws and procedural rules, parties' request for relief and identification of issues, summaries of the facts and claims, the tribunal's reasoning and findings and the dispositive. If time allows, the instructor will also address dissents and concurring opinions, reservation of issues, taxes and interests and awarding costs.

10:45 – 11:15 (Mohamed Abdel Raouf)

### **Tips and Techniques for Drafting**

In the last substantive morning session, the instructor will share insights on clear, consistent and accurate award drafting, showcasing some examples of good versus bad drafting. The session aims to convey an idea of effective style, format and structure of an award.

11:15 – 12:00 (Amani Khalifa/Mohamed Abdel Raouf/Antonia Birt)

### **Practical Group Exercise**

The participants will split into several groups. Each will be tasked with identifying certain flaws in the award and offering corrective suggestions. The instructors will point out any additional problematic issues and offer possible solutions where they have not been identified by the participants.

12:00 – 12:30 (Michael Schneider)

Networking Coffee with Guest Speaker and Q&A