

Prominent Scholar Speaks in the 18th Goff Arbitration Lecture

-Grace Chen

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From left to right: Dr Jacques Werner and Professor WANG Guiguo

The 18th Goff Arbitration Lecture organized by CityU Law School was held on 21 November 2011 at the Hong Kong International Arbitration Center (HKIAC). The lecture given by Dr Jacques Werner, the Founder and Chairman of the Geneva Global Arbitration Forum, has attracted over eighty scholars and practitioners in arbitration field to attend.

Dr Jacques Werner delivered a lecture titled *The Case for Better, and Better-armed, Arbitrators*. He indicated that the globalized economy is rapidly changing the features of international commercial disputes. It was reflected in the following aspects: the rise of the requests for interim measures, the increased factual complexity of cases due to technological evolution and the multiplication of applicable legal norms- various national laws, international conventions and treaties.

He then suggested that in order to face up the requirements, the international arbitrator must not only be a competent lawyer, but he must be proteiform - adjudicating efficiently procedural incidents, managing the time element of the procedure, applying the law sensibly and, most importantly, having a good grasp of the technological, business and economic paradigms of the case.



Moreover, he analyzed that the international arbitral tribunals are fragile institutions. The integrity of the arbitral process can be easily derailed as the communications with his colleagues are very often not secured, putting the confidentiality of deliberation at risk, and he may be powerless to ensure the safety of witnesses when the latter are faced with threats. In order to maintain the integrity of arbitral process, he suggested that the modern-day arbitrator must be better-armed.

The attendees regarded the lecture as comprehensive and detailed-oriented and lectures of this kind are warmly welcomed in the future.

About the Speaker

Dr. Jacques Werner is the Founder and Chairman of the Geneva Global Arbitration Forum. He is Member of the Commission on International Arbitration of the International Chamber of Commerce; Member of the Board of Trustees of the Dubai International Arbitration Centre; Former member and Vice-chairman of the Commission on Law and Practices relating to Competition of the International Chamber of Commerce; Former member of the Swiss Federal Competition Authority (Commission Suisse des Cartels). He is the Adjunct Professor at City University of Hong Kong and Visiting Professor at the Hunan Normal University Law School, Changsha, China. He is also the editor and publisher of "The Journal of World Investment & Trade" and "The Geneva Post Quarterly".

Dr. Jacques Werner has extensive arbitral experiences. He has been an arbitrator (party-appointed, third, sole) in more than 100 international cases, either International Chamber of Commerce, other institutions or ad hoc cases (29 times chairman, 17 times sole arbitrator, 55 times party-appointed arbitrator). He is on the list of Swiss arbitrators of the International Chamber of Commerce, the panel of international arbitrators of the American Arbitration Association, the Regional Centre for Commercial Arbitration, Cairo, the London Court of International Arbitration, the World Intellectual Property Organization, and the China International Economic and Trade Arbitration Commission (CIETAC).