

CEPANI



1969 - 2019

#166

August 2023

Editors in chief: Guillaume Croisant, François Cuvelier, Iuliana Iancu and Sander Van Look

acolad.

Wolters Kluwer
When you have to be right

brussels
arbitration
hub.eu

IBJ
IJE
INSTITUUT VOOR
BEDRIJFSJURISTEN
INSTITUT DES
JURISTES D'ENTREPRISE

AGENDA

22 September 2023

7 November 2023

14 November 2023

16 November 2023

17 November 2023

30 November 2023

14 December 2023

« L'arrêt THIBELO de la Cour de cassation du 7 avril 2023 : une chance pour l'arbitrage et/ou un champ de ruines pour le droit belge de la distribution commerciale ? »

CEPANI Arbitration Academy: From the arbitral clause to the constitution of the Tribunal

SAVE THE DATE: Journée des Juristes d'entreprise | Dag van de bedrijfjuristen: The Legal Symphony – company lawyers' roles in a shifting world

SAVE THE DATE: A Tale of Two Teenagers 2013-2023: ten years of UNCITRAL Model law in Belgium – ten years of b-Arbitra

CEPANI's annual colloquium - ESG and International Commercial Arbitration – beyond the acronyms

CEPANI Arbitration Academy: From the Terms of Reference to the Hearing

CEPANI Arbitration Academy: From The Hearing To The Arbitral Award

REPORTS

- » CEPANI INTERN DAYS (BY NARGISSE EL HOUTI AND LOUIS CORNET)
- » UNIVERSITÉ D'ÉTÉ AVOCATS.BE (BY BENOIT THOMAS)
- » CEPANI40 SUMMER DRINKS (3RD EDITION)

NEWS

- » CEPANI DÉJEUNER-DÉBAT « L'ARRET THIBELO DE LA COUR DE CASSATION DU 7 AVRIL 2023 : UNE CHANCE POUR L'ARBITRAGE ET/OU UN CHAMP DE RUINES POUR LE DROIT BELGE DE LA DISTRIBUTION COMMERCIALE ? »
- » CEPANI ARBITRATION ACADEMY
- » CEPANI'S ANNUAL COLLOQUIUM - ESG AND INTERNATIONAL COMMERCIAL ARBITRATION – BEYOND THE ACRONYMS
- » B-ARBITRA 1/2023
- » CALL FOR APPLICATIONS FOR ADJUNCT LECTURER - ENVIRONMENT, SOCIAL AND CORPORATE GOVERNANCE (ESG)

NEWS FROM OUR PARTNERS

REPORTS

CEPANI INTERN DAYS

4 JULY AND 29 AUGUST 2023



Nargisse El Houti and Louis Cornet, Associates, Baker McKenzie

On 29 August, with a small group of young professionals and students, we were invited to discover the CEPANI from the inside on the occasion of the CEPANI Intern Days.



The day started with a presentation given by **Benoît Kohl**, the President of the CEPANI. He provided a broad overview of the arbitration mechanism and offered an insight of the CEPANI, its role and rules. In that frame, the interns had the opportunity to learn more about the peculiarities of arbitration, its main differences from other alternative dispute resolution methods and the latest amendments of the CEPANI Rules (scrutiny, terms of reference and diversity).

This first presentation was followed by a session on '*Belgian arbitration law in practice*'. **Guillaume Croisant** (Managing Associate, Linklaters; co-chair of CEPANI40), gave practical tips on the way to write a proper arbitration clause, shared practical examples in that respect and explained the key steps in standard arbitration proceedings.

The interns then headed towards the Bozar restaurant to have lunch with other members of the CEPANI. This was the perfect place to discuss informally, get to know each other and share our respective experiences.

Back to the CEPANI, the interns visited the premises and attended a third presentation given by the Secretariat. **Emma Van Campenhoudt** (Secretary General, CEPANI) and **Astrid Moreau**

(Counsel, CEPANI) drew the attendees' attention to the specific modalities to be aware of when launching arbitration proceedings before the CEPANI. The advice given was very practical and helpful for any future contacts with the CEPANI.

Whether it is because you are an arbitration practitioner or simply because you are eager to discover arbitration, the CEPANI Intern Days will definitely open you up to this world.



23 AOÛT 2023

Benoit Thomas
Solutio, lawyers & mediators

Ce 23 août 2023, les organisateurs des Universités d'été d'Avocats.be ont été particulièrement bien inspirés en organisant un atelier intitulé « l'arbitrage en pratique ».

C'est peu dire qu'un panel « de choix » avait été composé pour l'occasion. Ainsi donc, il leur revenait la mission de parcourir ce mode alternatif de résolution des conflits en long et en large, et en quatre heures s'il vous plaît ! Une véritable gageure...

Comme toujours avec verve, **Olivier Caprasse** (professeur à l'ULiege et l'ULB, et praticien bien connu) a ouvert les « hostilités » en nous rappelant (notamment) dans son propos introductif qu'il convenait de resituer l'arbitrage dans le vaste choix des modes alternatifs de résolution des conflits ou encore en opérant une distinction entre l'arbitrage d'investissement et l'arbitrage commercial. Et de conclure avec sa formule consacrée (non sans me renvoyer par là quelques années plus tôt sur les bancs de l'Université Libre de Bruxelles) : « l'arbitrage n'est pas la panacée. La panacée, c'est d'avoir le choix ». Assurément, il ne saurait être démenti.



Guillaume Croisant (collaborateur senior, Linklaters ; co-président du CEPANI40) a pris le relais en nous entretenant du déroulement de l'arbitrage, depuis la convention d'arbitrage jusqu'à la constitution du tribunal arbitral. Avec une approche originale puisque partant d'une clause d'arbitrage « pathologique » (la fameuse « clause de minuit »), ce fut l'occasion pour lui d'évoquer tour à tour les notions d'arbitrabilité, les institutions, le droit applicable ou encore les situations multi-contrats / multi-parties, avant d'aborder les éventuels incidents pouvant apparaître et, finalement, la mise en place du tribunal arbitral.

Stéphanie Davidson (associée, Leysa ; membre du Conseil de l'Ordre) abordera alors (comme si nous y étions) la procédure à suivre devant les arbitres. Débutant sa présentation par la remise du dossier au tribunal arbitral, et allant jusqu'à l'« après-audience », elle suscitera la curiosité du public en évoquant les échanges de mémoires post-audience auxquels les habitués du Palais sont moins coutumiers que ceux fréquentant les cénacles d'arbitrage...

Une (courte) pause plus tard, c'est avec un café à la main que nous écouterons **Sophie Goldman** (associée, Tossens Goldman Gonne) aborder plus spécifiquement le délibéré arbitral aboutissant à la sentence du même nom. Y seront évoqués les similitudes et les différences existantes entre sentence arbitrale et décision judiciaire, ou encore les délais, les effets, etc...

Assistance de juristes oblige (est-ce le propre de notre profession ?), un détour par les « incidents » s'imposera : *quid* si le tribunal arbitral tarde à rendre sa sentence ? *Quid* en cas de refus d'un arbitre de prendre part au délibéré ? *Quid* en cas d'erreur matérielle ?



C'est finalement à **Caroline Verbruggen** (conseillère à la Cour d'appel de Bruxelles ; co-rédactrice en chef de b-Arbitra) qu'il reviendra de clôturer cette matinée. Avec sa position privilégiée de conseillère auprès de la cour d'appel de Bruxelles, qui d'autre qu'elle pour nous entretenir du rôle des juges étatiques (belges) dans l'arbitrage ? De l'intervention du juge des référés à l'étape essentielle de l'*exequatur*, en passant par l'annulation de la sentence le cas échéant, l'intervenante nous rappellera le rôle fondamental du juge étatique, non sans souligner le paradoxe selon lequel un arbitrage réussi est un arbitrage sans juge étatique.

En définitive, c'est une matinée des plus intéressantes à laquelle nous avons eu le plaisir d'assister. Le tout sous l'égide de **Marc Dal** (associé, Daldewolf), aussi bienveillant qu'attentif au respect du timing revenant à chaque intervenants (difficulté qu'il convient de ne pas sous-estimer...).

Assurément, l'éventuel regret des participants résidera sans aucun doute dans le laps de temps trop court dont disposaient les intervenants pour nous entretenir de leurs expériences respectives. Pour le reste, c'est une assemblée conquise qui se dirigera ensuite vers le buffet !

CEPANI40 SUMMER DRINKS
(3RD EDITION)

31 AOÛT 2023



Emma Van Campenhoudt
Secretary General, CEPANI

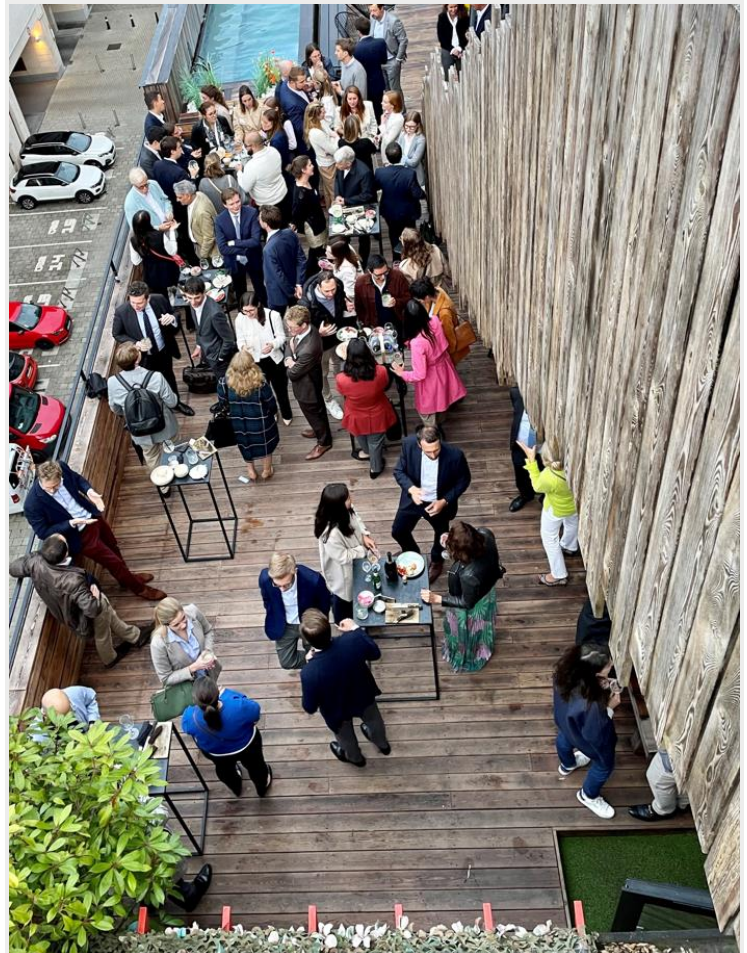
On 31 August 2023, CEPANI40 organised the third edition of its annual “summer” drinks at the rooftop of the Jam hotel. Despite the typical Belgian weather, the event was again a great success, gathering around 70 participants and a dozen of umbrellas (that could fortunately quickly be put away) for an enjoyable networking activity just before the start of the judicial year.



It was the occasion for CEPANI President **Benoît Kohl** to announce that **Lauren Rasking** will be taking over from **Katherine Jonckheere** as CEPANI40 Co-Chair (together with **Guillaume Croisant**, who remains in place). Benoît warmly thanked Katherine, who moved in-house, for her tremendous work as Co-Chair over the last year. During this busy year, CEPANI40 organised among others a new edition of “meet the experts”, a webinar on virtual hearings, the re-launch of the Brussels Pre-Moot, an event on the future of investment arbitration at the Paris Arbitration Week (together with other below-40

organisations), a workshop on damages and quantum valuation and – of course – the summer drinks.

Katherine will remain part of CEPANI40's Steering Committee, also composed of **Iris Raynaud**, **Beatrice Van Tornout**, **Lily Kengen**, **Dodo Chochitaichvili**, **Sophie Bourgois**, **Astrid Moreau**, **Bart De Bock**, **Jan Janssen**, **Alexandre Hublet** and **Adrien Fink**.



Below-40 practitioners may become a member of CEPANI40 for free by registering at info@cepani.be.

» 22 September 2023 – CEPANI Lunch Debate

➔ [Register here](#)



CEPANI
THE BELGIAN CENTRE FOR ARBITRATION AND MEDIATION

L'arrêt THIBELO
de la Cour de cassation du 7 avril 2023
Une chance pour l'arbitrage
et/ou un champ de ruines
pour le droit belge de la distribution commerciale ?
Pascal HOLLANDER - Arnaud NUYTS

Un déjeuner-débat (FR)
vendredi 22 septembre 2023 de 12h à 14h
4 rue Ravenstein à 1000 Bruxelles

La Cour de cassation vient d'opérer un revirement spectaculaire de sa jurisprudence en matière d'arbitrabilité des litiges relatifs à la fin d'un contrat de concession de vente exclusive exécuté sur tout ou partie du territoire belge, en décidant que ces litiges sont arbitrables même si les arbitres appliquent un droit étranger. La Cour a justifié cette décision par son analyse selon laquelle les articles X.35 à X.39 du Code de droit économique (ex-loi du 27 juillet 1961) ne constituent pas des dispositions de lois de police au sens de l'article 9.1 du Règlement Rome I et que, vu la primauté du Règlement sur la loi interne, le choix par les parties d'un droit étranger doit être respecté.

Cette décision va engendrer un bouleversement fondamental dans le contentieux du droit de la distribution, mais aussi dans la négociation des contrats de concession de vente (et d'agence commerciale). Ces conséquences seront abordées à l'occasion d'un lunch-débat animé par Pascal Hollander et Arnaud Nuyts.

➔ [Register here](#)



The **CEPANI Arbitration Academy** is an opportunity for both starting and experienced practitioners (counsels as well as arbitrators) to improve their knowledge and enhance their practical skills in national and international arbitration.

The arbitration classes will consist of three interactive sessions, each of them introduced by Honorary President of CEPANI **Mr. Dirk De Meulemeester** and co-animated by **Prof. Benoît Allemeersch** and **Ms. Dorothée Vermeiren** (November 7), **Prof. Jean-François Tossens** and **Ms. Nadia Darwazeh** (November 30) and **Prof. Olivier Caprasse** and **Ms. Vanessa Foncke** (December 14).

The CEPANI Arbitration Academy consists of 4 modules: 1. Introduction to International Arbitration, 2. Expert level, 3. International level and 4. ADR Academy. The second and third module will be held respectively in Spring 2024 and Autumn 2024. The expected timing of level 4 will be announced in due course.

THIS AUTUMN:

7 November 2023, 1pm to 7pm chaired by Prof. Benoît Allemeersch and Ms. Dorothée Vermeiren, the class will be introduced by Honorary President Mr. Dirk De Meulemeester: From the arbitral clause to the constitution of the Tribunal

30 November 2023, 1pm to 7pm chaired by Prof. Jean-François Tossens and Ms. Nadia Darwazeh, the class will be introduced by Honorary President Mr. Dirk De Meulemeester: From the Terms of Reference to the Hearing

14 December 2023, 1pm to 7pm chaired by Prof. Olivier Caprasse and Ms. Vanessa Foncke, the class will be introduced by Honorary President Mr. Dirk De Meulemeester: From the Hearing to the Arbitral Award

Would you like to know more about how to prepare for an arbitration hearing, what to say and not say during this hearing, who can be present, why and how to call witnesses, whether or not it is useful to have post-hearing briefs, what efficient statements of costs are or how arbitrators usually organize their work to come to an award? Class three is for you. Through interactive discussions and reviewing concrete documents coming from real arbitration proceedings, you will get answers to all of these and so many more questions.

→ [Register here](#)



ESG issues are front and centre of corporate compliance programs, newspaper headlines and investment portfolios. But ESG is more than a buzzword, and there are several dimensions to its significance for international arbitration. As ESG regulation shifts from soft law guidance towards more stringent legal requirements of climate transition, disclosure, reporting, supply chain due diligence, contractual assurances, and remediation of adverse human rights and environmental impacts, ESG will increasingly be encountered in the subject matter of public and private commercial disputes. In order to be equipped for this emerging area of disputes, it is important for dispute resolution practitioners to familiarise themselves with ESG as a concept, relevant applicable legal frameworks, and the implications for international disputes and for arbitral proceedings.

09:00 – 09:30 – Reception / Coffee

09:30 – 09:40 – Welcome – **Benoît Kohl**, President of CEPANI

09:40 – 10:00 – Introduction of the topic – **Dirk De Meulemeester**, President of the CEPANI Academic Committee

10:00 – 10:40 – ESG megatrend – what is it and why does it matter, **Rachel Barrett**, Partner Linklaters, London and **Guillaume Croisant**, Managing Associate Linklaters, Brussels

10:40 – 11:10 – Coffee Break

11:10 – 11:40 – Supply Chain Disputes and Contractual Clauses, **Emily Hay**, Counsel HVDB, Brussels and **Lisa Bingham**, former Deputy Director ICCA, The Hague

11:40 – 12:10 – Post M&A Claims, **Laurie Achetouk-Spivak**, Partner Cleary Gottlieb, Paris and **Naomi Tarawali**, Partner Cleary Gottlieb, London

12:10 – 12:40 – Corporate Law Disputes, **Xavier Dieux**, Brussels

12:40 – 14:00 – Walking Lunch

14:00 – 14:30 – Mandatory Law and Public Policy, **Thomas Granier**, Asaso & Co

14:30 – 15:00 – ESG in the Arbitral Process, **Werner Eyskens**, Partner Crowell, Brussels and **Sophie Goldman**, Partner Tossens, Goldman, Gonne, Brussels

15:00 – 15:30 – Coffee Break

15:30 – 16:50 – PANEL and Q&A – ESG in corporate legal day-to-day, Chair: **Patrick Baeten**, Secretary General Besix, **Olivia De Patoul**, General Counsel Belgium & France with Deminor, **Alison Pearsall**, Paris, **Saskia Mermans**, Group general counsel with KBC, Brussels, **Anne-Berangère Sudraud**, Legal Director Lhoist Western Europe.

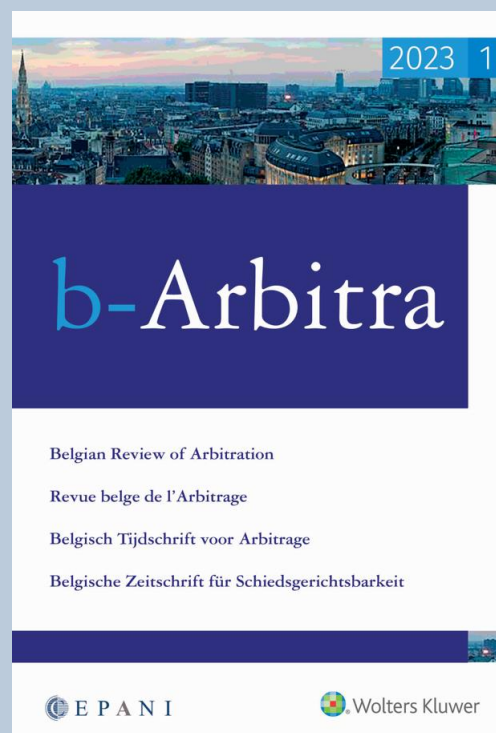
16:50 – 17:00 – Closing remarks – **Benoît Kohl**, President of CEPANI

b-Arbitra is the Belgian Review of Arbitration, issued biannually, with publication of judgments, notes and commentaries on arbitration related topics.

2013 was a landmark year for arbitration in Belgium. On 1 January 2013, CEPANI introduced new arbitration rules. On 1 September 2013, a new Belgian arbitration law entered into force. And last but not least, b-Arbitra was launched. Ten years down the road, CEPANI launched new rules on 1 January 2023 and a working group under the auspices of CEPANI provided recommendations on limited improvements to the arbitration law. Thanks to the support of the Courts and the help of arbitration practitioners, we are publishing more arbitration-related judgments than ever before. At the same time, we are keeping our eyes open for interesting judgments from other jurisdictions. In addition, we continue to attract excellent contributions in both our doctrine section and our case notes. Finally, through the cooperation with Kluwer and the availability on its [kluwerarbitration.com](https://www.kluwerarbitration.com) platform, b-Arbitra is also available internationally. While we continue our mission to publish in French, Dutch, German and English, we aim to ensure that the key parts and findings of our contributions is accompanied by English summaries to allow for access also to our foreign readers. As co-editors-in-chief, we believe that b-Arbitra is therefore well equipped to enter into its teens and are excited to see what the future brings.

In this first of 2023, we again publish contributions and case law on a variety of topics. In the doctrine section, Ms. Munkhnaran Munkhtuvshin studies female arbitrators' impression management styles (sometimes referred to as a representation of self or self-representation). Geert De Buyzer and Celine De Buck take a critical look at the possibility for a mediator to decide the dispute as an arbitrator in a study on med-arb.

2023 is also the year in which the Belgian Supreme Court has rendered no less than five judgments in relation to arbitration in five months. We publish four of these in this edition. The first judgment from 10 February 2023 establishes an obligation for the annulment judge to determine whether the ground for setting aside affects only part of the award, and such part can be distinguished from the remainder of the award, to see whether setting aside can be limited to part of the arbitral award. While this decision is based on a rule in the old arbitration law, it may still be of relevance in light of the general *favor arbitrandum* approach in the 2013 law, which includes the principle that the setting aside should be the ultimate remedy. Moreover, the CEPANI working group recommended to reinstate the rule regarding partial setting aside for didactical purposes, in line with practice under the 2013 law. The second judgment of the same date addresses the principle that arbitrators cannot bring actions relating to their own awards in application of the *nemo iudex in causa sua*-rule. The third judgment of 6 April 2023 relates to the Rawat v. Mauritius saga, where the Supreme Court confirmed the Court of First Instance's rejection of the application to set aside an award in which the arbitral tribunal declined jurisdiction under the France-Mauritius BIT on consideration that this did not apply to dual nationals of both countries. In this judgment, the Supreme Court gave some interesting guidance on the application of the VCLT. Last but not least, on 24 April 2023, the Supreme Court rejected an application to annul the Court of First Instance judgment which had upheld an arbitral award despite criticism on the role of the administrative secretary. In doing so, the Supreme Court confirmed the cardinal rule of procedural autonomy in Article 1700, §§ 1 and 2 BJC, which enacts Article 19 of the UNCITRAL Model Law.



We then move on to France, where we publish extracts from three judgments of the French Supreme Court. The first two are commented on by Prof. Maximin De Fontmichel and address questions of access to justice in situations where a party refuses to pay its share of the advance on arbitration costs. The third judgment, with a comment by Etienne Marque, is the latest saga in the remarkable string of French cases pursuant to which the annulment judge is granted the power to investigate all the elements of corruption in law and in fact.

Turning back to Belgium, we start off with a decision of the president of the Court of First Instance of Brussels (F) of 10 July 2018 and a subsequent decision of the Court of First Instance of Brussels (F) of 7 February 2020 in the same case, raising questions of multi-contract arbitration, with a note by Guillaume Croisant. Next up, is a decision in summary proceedings dated 23 May 2019, in which the president of the Enterprise Court of Brussels refused to suspend disciplinary proceedings before the Belgian Football Association in the framework of the notorious match fixing case relating to the 2018-2019 season (“Operation Zero” or “Propere Handen”), on consideration that appeal before an arbitral tribunal under the auspices of the Belgian Court of Arbitration for Sports (“BAS”) meeting the criteria of Art. 6 ECHR would be available. We publish extracts from the remarkable 200+ page-judgment of 19 November 2021 regarding the setting aside proceedings, which were brought against the BAS arbitral awards, which followed the disciplinary proceedings. In this judgment, which is accompanied by a commentary by Koen Van Den Broek, the Court of First Instance heavily criticized the manner in which rights of defense of the parties involved were cast aside in the interest of the sportive interests during both the disciplinary proceedings and the arbitral appeal before the BAS tribunal. We further publish a judgment by the Court of First Instance of Brussels (F) dated 24 February 2022 with a note by D. De Meulemeester, who critically assesses the Court’s approach to conduct a *de novo* review to determine whether the arbitral tribunal had rightly assumed jurisdiction over a dispute in the framework of an application to set aside the award.

Finally, we publish judgments by the Courts of First Instance of Brussels (F and N), Antwerp and Ghent, dealing with a variety of issues, including the duty to provide reasons, challenges to arbitrators, the duty of impartiality and independence, the duty to disclose, the use of languages in setting aside proceedings, delays in rendering the award, etc.

In the documents section, Maxime Berlingin and Gerard Meijer discuss the initiatives and plans of the BeNeLux Arbitration and ADR Group, which intends to explore the possibility of a uniform BeNeLux Arbitration Act. Werner Eyskens and Sophie Goldman from their part, discuss the work and initiatives of CEPANI’s Working Group on Diversity & Inclusion, including the introduction of a change to Article 15 of the CEPANI Arbitration Rules, which sets forth a duty for CEPANI to consider diversity and inclusion when appointing arbitrators.

Finally, Marijn De Ruysscher (on a handbook on arbitration in the Dutch language) and Nathan Tulkens (on the CEPANI Series book on default in arbitration) provide book reviews.

For more details, please see the table of contents [here](#).

We continue to extend our invitation to Belgian arbitration practitioners to reach out with interesting arbitration related cases. We further encourage anyone who is interested in contributing to b-Arbitra or has comments or suggestions to get in touch at b-Arbitra@wolterskluwer.com.

The Editors-in-Chief

Caroline Verbruggen and Maarten Draye



**Call for Application for Adjunct Lecturer
Environment, Social and Corporate Governance (ESG)**

(Part of the course "ESG and International Investment Law")

LL.M. in International Business Law
University of Brussels (Université Libre de Bruxelles – ULB)

Deadline : 21 September 2023

Appointment Description

Since 2016, the Faculty of Law of the University of Brussels (Université Libre de Bruxelles - ULB) has been offering a LL.M. program in International Business Law. The LL.M. is a full-time 60 ECTS advanced post graduate program based in Brussels and is taught entirely in English. It caters to motivated students from around the world. The philosophy of the LL.M. is to offer a rigorous, coherent and comprehensive program that covers all of the core subjects of international business law, with a strong emphasis on practical experience. The LL.M. welcomes approximately 30-40 students from at least 4 continents each year and is taught in small interactive groups. The details of the program can be found on www.brusselsilm.com.

We are currently looking to fill a vacancy for an Adjunct Lecturer to teach Environment, Social and Corporate Governance (ESG), as part of the course ESG and International Investment Law.

The course is co-taught by Professor Nicolas Angelet who covers the part of the course focused on Investment Law.

The appointed lecturer will have significant autonomy to develop the specific course curriculum. Broadly, the course is expected to cover the current International and European legal developments in environmental, social and governance initiatives. Students will be expected to explore the challenges and opportunities faced by policy makers, governments, companies, lawyers and citizens in tackling environmental and social problems and the complex issue of sustainable development. The course is meant to focus, from a legal perspective, on the redefinition of the role of government and business to address social and environmental challenges: 'positive obligations' of corporations to protect the environment and human rights.

Some of the topics/legislative initiatives to potentially discuss include:

- Sustainable corporate governance
- EU Corporate Sustainability Reporting Directive (CSRD)
- The Taxonomy Regulation
- Sustainable Finance Disclosure Regulation (SFDR)

- Corporate Sustainability Due Diligence Directive (CS3D) and domestic due diligence regimes (e.g. France and Germany)
- ESG litigation risks – climate litigation and environmental liability, greenwashing, disclosure liability, parent company litigation, supply chain litigation, etc.
- Proposals for a green claims directive and for a directive on empowering consumers for the green transition
- Sector-specific ESG regulations:
 - Batteries
 - Industrial emissions
 - Deforestation (trade)
 - Product and packaging regulations (single-use; right to repair)
- Carbon pricing under the EU's Emissions Trading Scheme (ETS)
- EU's Carbon Border Adjustment Mechanism (CBAM)
- Green competition law
- Trade and ESG

The appointed lecturer is expected to coordinate with faculty members currently teaching related courses on company law and corporate governance, competition law, finance, trade, etc. to ensure that topics are appropriately allocated as between courses.

Candidates will preferably hold a Ph.D. in law and demonstrate outstanding teaching ability and specific competence in the relevant fields through professional experience and publications.

The position involves the teaching of 18 hours of class time (six classes of three hours) and supervision of LL.M. theses due in May. The class meets weekly for 12 weeks on Mondays from 15-18h at the ULB from February through May. The ESG part of the course will be offered in the first 6 lectures from approximately February to mid-March. Thesis supervision is ongoing throughout the academic year but requires more attention in the second term. The position does not involve a contract of employment with the University, rather academic work is carried out on an independent basis under terms to be agreed.

Interested candidates should send a cover letter and academic curriculum vitae by 21 September 2023 to the LL.M. Academic Coordinator and Program Administrator at the following email address: brusselsllm@ulb.be.

NEWS FROM OUR PARTNERS

» **INSTITUT DES JURISTES D'ENTREPRISE | INSTITUUT VOOR BEDRIJFSJURISTEN**



SAVE THE DATE

JOURNÉE DES JURISTES D'ENTREPRISE | DAG VAN DE BEDRIJFSJURISTEN

14 November 2023, 12:30-17:30

The Legal Symphony – company lawyers' roles in a shifting world

The Legal Symphony – les rôles des juristes d'entreprise dans un monde en mutation

The Legal Symphony – de rollen van bedrijfsjuristen in een wereld van veranderingen

» **KLUWER**

Webinar Panel Session - Making the Case: Effective Presentation of Factual Evidence in International Arbitrations

Date: Tuesday 19 September 2023

Time: 4:00 - 5:00 PM CET

Please join a webinar hosted by Wolters Kluwer, *'Making the Case: Effective Presentation of Factual Evidence in International Arbitrations'*.

International arbitrations very frequently turn on the arbitral tribunal's appreciation of disputed questions of fact. Yet techniques for the presentation of factual evidence by counsel, and the assessment of facts by arbitrators, are rarely the subject of proper analysis.

The panel will explore the approaches of different legal traditions and best evidentiary practices from the beginning to the end of a case. Among other topics, they will discuss evidence gathering, document production, witness versus documentary evidence, effectively presenting evidence, and how to assess evidence rigorously. They will also touch upon the standard and burden of proof, evidence of fraud, corruption, illegality, and circumstantial evidence. Our moderator and three panelists will draw on their extensive knowledge and practical experience.

Register now <https://know.wolterskluwerlr.com/LP=3391>