



5th Annual ITA-ASIL Conference

“Soft Law” Instruments in International Arbitration

April 9, 2008 • The Fairmont Hotel • Washington, D.C.

Conference Co-Chairs

Yas Banifatemi, Shearman & Sterling, Paris, France
Jeremy K. Sharpe, U.S. Department of State, Washington, D.C.

Presented by

Institute for Transnational Arbitration's Academic Council and The American Society of International Law

International law has undergone a dynamic shift in recent years through the development and application of soft law instruments. International arbitration is proving the crucible that tests many of these instruments.

This Symposium brings together leading scholars, practitioners, and arbitrators to discuss the sources and impacts of soft law instruments; and will examine their legitimacy and practical use in international arbitration.

Registration includes lunch buffet with faculty.

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| 8:00 | Registration | 10:45 | IMPACT OF SOFT LAW INSTRUMENTS IN INTERNATIONAL ARBITRATION
<i>Chair and report:</i> Yas Banifatemi

<i>The Role of the Arbitrators in Codifying Transnational Rules</i>
Jan Paulsson , Freshfields Bruckhaus Deringer
Paris, France; Prof. of International Law, Dundee University

<i>Have Soft Law Instruments Contributed to the Harmonization of International Arbitration Law?</i>
W. Michael Reisman , Myres S. McDougal Professor of International Law, Yale University School of Law, New Haven, Connecticut

<i>Roundtable: Interplay of Soft Law and Hard Law Instruments in International Arbitration</i>
<i>Moderator: The Hon. Charles N. Brower</i> , Arbitrator, Iran-U.S. Claims Tribunal, The Hague, The Netherlands -- with Jan Paulsson and Michael Reisman |
| 9:00 | WELCOME AND INTRODUCTION
Professor David D. Caron , C. William Maxeiner Distinguished Professor of Law, Boalt School of Law University of California, Berkeley, and Chair, Institute for Transnational Arbitration (ITA) | 12:00 | CONCLUDING REMARKS
Professor Jack J. Coe, Jr. , Pepperdine University School of Law, Malibu, California and Chair, ITA Academic Council |
| 9:05 | SOURCES OF SOFT LAW INSTRUMENTS
<i>Chair and report:</i> Jeremy K. Sharpe

<i>Fertile Areas for Soft Law Instruments</i>
James Carter , Sullivan & Cromwell, New York, New York

<i>Are Soft Law Instruments Based on a Codification Method?</i>
Gabrielle Kaufmann-Kohler , Lévy Kaufmann-Kohler, Geneva, Switzerland; Prof. of Law, Univ. of Geneva

<i>Roundtable: “Procedural” and “Substantive” Soft Law</i>
<i>Moderator: William W. Park</i> , R. Gordon Butler Scholar in International Law, Boston University School of Law, Boston, Massachusetts -- with James Carter and Gabrielle Kaufmann-Kohler | 12:10 | Luncheon - <i>Sponsored by</i> Crowell & Moring LLP and Navigant Consulting |
| 10:20 | Break | | |

REGISTER ONLINE:

http://www.cailaw.org/ita/ASIL_08.html

2.5 Hours of CLE Credits Available.

Immediately following ITA-ASIL's 5th Annual Conference is the American Society of International Law's (ASIL) 102nd Annual Meeting, April 9-12, 2008 at The Fairmont Hotel, Washington, D.C. The meeting will address "The Politics of International Law." For more information and important updates, visit <http://www.asil.org/events/lam08/index.html>.

