

# Madrid Maritime Arbitration Expert Course

13 – 14 December 2012



The City Law School  
CITY UNIVERSITY LONDON

**Aeade**  
ASOCIACIÓN EUROPEA DE ARBITRAJE

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### Welcome to Madrid!

Madrid is the capital city of Spain. It is the political, financial and economic center of Spain. It is a lively city with a magnificent cultural offer, including Museums, Theaters and its world famous Opera House. Madrid is one of the largest European capitals and one of the most successful up and coming maritime arbitration centers in Europe.

This Expert Course will equip those who attend with a detailed insight into issues of current importance in the areas of maritime arbitration in the economic sectors of shipping, land transport and European law. It is designed to provide a major learning resource for lawyers and business people. It will recruit students from Spain, Europe and the rest of the world.

The Expert Course will offer an invaluable opportunity to learn from distinguished academics, legal and business practitioners while establishing future contacts and friendships. Participants will not only be involved with academic work, but also explore the city's cultural and historical heritage.

Madrid Maritime Arbitration Expert Course will be a an event you do not want to miss!

*Applications now available!*

*Be quick to book your place!*

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**Blas de Lezo**

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## ***Aims and Objectives***

The programme is designed to meet the specific needs of professional lawyers who may be seeking to expand their practice in the field of Maritime Law Arbitration, and also to meet the complementary needs of shipping executives who have to understand the complex legal issues which context their commercial enterprise.

## ***The Teaching Program***

The rationale of the course is that the Law of England and Wales is the legal system which provides the basic reference underpinning all International Shipping Law, and is the universally preferred jurisdiction in respect of maritime disputes.

A full balance of academic, legal and commercial expertise is represented in the composition of teaching team, whose members are drawn from the Law Departments of leading universities and Law firms which specialise in Maritime, Shipping and Transport Law.

## ***The Learning Atmosphere***

The course will offer participants the chance to meet like-minded professionals in a sympathetic but nonetheless demanding academic atmosphere in which valuable professional knowledge will be gained.

English is the language of instruction, but all the teaching units will be supported by detailed notes prepared to assist participants with the seminar work, and with later professional reflection. As acquisition of business English is often accelerated when students can express new concepts equally in their native tongue, it may be possible for the seminar discussion to be held in a language other than English where four or more students request it.

## ***Stage at a leading Spanish Maritime Law Firm***

Blas de Lezo, sponsor of the Course and leading Maritime Law Firm, will offer a stage of two weeks to the best student or young professionals attending the course. The name will be announced at the closing ceremony.

## ***CERTIFICATE***

All those who successfully complete the programme will be awarded a Certificate of Attendance issued by the City Law School, The City University, London.



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## ***Social Program***

Madrid is justifiably famous as a beautiful and lively city. For many people travelling in Europe it is at the top of their “must visit” list. A social dinner is included in the programme in order to promote the learning objectives of the Winter Course, and to take advantage of the stimulating, cultural and social opportunities of Madrid’s historical city centre and the outstanding beauty of places nearby.

## **TIMETABLE**

Time	Thursday 13 December 2012	Friday 14 December 2012
10:00 – 10:30	<i>Arrival &amp; Registration</i>	<b>Maritime Arbitration process: choice of arbitrator, gathering of evidence and hearing</b>
10:30 - 12:30	Introduction to ADR methods	<b>Maritime Arbitration Workshop: Arbitration Hearing</b>
12:30 -13:00	<i>Lunch Break</i>	<i>Lunch Break</i>
13:00 - 14:30	The Common Law and Arbitration	<b>Enforceability of Maritime Arbitration Awards</b>
14:30 - 14:45	<i>Coffee Break</i>	<i>Coffee Break</i>
14:45 - 16:00	The Arbitration Clause: drafting, effects and forum shopping.	<b>AEADE Maritime Arbitration Committee</b>
16:00 - 17:00	<b>Main Maritime Arbitration Terms: LMAA, LCIA and ICC</b>	<i>Closure</i>
	<i>Joint Dinner</i>	

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## STAFF

### **DIRECTOR Anthony Rogers**

Is a former Legal Advisor to several prominent Ship-Broking and Ship-owning companies in the United Kingdom. He is currently Senior Lecturer, the City Law School, The City University, London, where he teaches Maritime Law, and Trade and Commercial Law. He is an Approved International Legal Consultant for the United States International Aid Agency. His special academic interests include Admiralty Practice, and the Law Relating to the Carriage of Goods by Sea. He is a member of the Editorial board of the *Baltic Maritime Law Quarterly*.

**DEPUTY DIRECTOR Miquel Roca**: Is qualified to practice Law in both Spain and England and Wales. After several years practicing as a Solicitor in England, he is now based in Spain, where he is the managing partner of Blas de Lezo Abogados, recognized as the “*Spanish Shipping and Maritime Law Firm of the year*”. He is member of the Managing Board of the Spanish Maritime Law Association and publishes regularly in specialized newspapers. He is also the co-author the book “*El Arbitraje Marítimo en Londres*” (London Maritime Arbitration), the first book on the subject ever written in Spanish. He is the Maritime Law Professor at the Abat Oliba Barcelona University and has been included in the prestigious list of “*The best 50 lawyers in Spain*”.

**Mr. Javier Iscar de Hoyos**, Lawyer since 1992. MBA in Know How Business College, Master’s Degree on Judicial Practice and Business Administration from the Escuela de Práctica Jurídica de la Universidad Complutense de Madrid; and Graduate Level Course on Arbitration from the Instituto de Empresa in Madrid. Expert in arbitration, he has written numerous articles and contributions to books; founder of the European Arbitration Association, Aeade; General Secretary of the Spanish-Moroccan Court of Arbitration; member of the Spanish Club of the Arbitration (Club Español del Arbitraje, CEA); and regular speaker in national and international conferences and seminars on arbitration in Business Schools, Universities, Bar Associations, etc. He is currently General Secretary of the European Arbitration Association, Aeade, and of the Spanish Moroccan International Court of Arbitration.

**Mr. Rafael Montejo**: Rafael Montejo is the managing partner of Osborne Clarke's Madrid office. He has devoted more than 20 years in advising domestic and international companies in commercial matters. He is an experienced litigator and has handled a number of national and international arbitration proceedings. Rafael is an International Litigation teacher at ISDE (Master of International Law) and a lecturer at Cádiz University in the International Master on Coastal Management



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## The Course Units

### **Unit 1: Introduction to ADR methods**

An introduction to all the ADR methods and their advantages over traditional dispute resolution methods. We will also look at their popularity amongst maritime disputes and the main maritime dispute resolution centres worldwide.

### **Unit 2: The Common Law of England and Wales**

An introduction to the Common Law, and particularly to the doctrine of precedent, which is found in the legal systems of (among others), England and Wales, the USA, Canada, Australia, and much of Africa and Asia. We will also look at some issues of Tort and Contract Law and their relevance in Maritime Arbitration

### **Unit 3: The Arbitration Clause**

We will look at the main drafting techniques in this very crucial clause. We will deal with the effects the clause can have on the contract in which it is contained. We will also deal with the way England & Wales deal with jurisdiction and the very important matter of forum shopping.

### **Unit 4: Main Maritime Arbitration Terms**

This unit will provide an inside on the main maritime arbitration terms. The market offers several maritime institutions all of which publish their own terms. Applying one or the other is no minimal issue and can have a terrific impact in the way the arbitration is conducted and how the matter can be resolved.

### **Unit 5: Maritime Arbitration Process**

This unit will examine the main practical and procedural aspects of a maritime arbitration: the choice of the arbitrator, the gathering of evidence and the hearing.

There will be a Workshop on a Maritime Arbitration in which the attendants will be divided into groups: Arbitration Tribunal, Claimant and Defendant. Submissions will have to be drafted, served on the Tribunal and defended at the Hearing. The Lecturers will assist the attendants in the whole process and resolve the many practical doubts and difficulties normally encountered in a real maritime arbitration hearing.

### **Unit 6: Enforceability of Maritime Arbitration Awards**

This unit will offer the final steps of a Maritime Arbitration, which is not only its Award, but its execution. The New York 1958 Convention will be analysed in depth and a practical approach will be given to its applicability.



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## **Student Learning outcomes**

By the conclusion of the Winter Course delegates will:

1. Have gained practical knowledge of several expanding and potentially lucrative areas of Maritime and Commercial Law.
2. Be able to identify complex legal issues that arise in commercial situations.
3. Be able to analyse these problems, and provide suitable solutions.
4. Have gained confidence in arguing their cases and in defending the positions that they have taken.
5. Be able to research the answers to legal problems that they will face in the future.

**The City Law School** is one of the few universities in the world to offer a dedicated LLM in Maritime Law. This degree is taught by leading academics with commercial experience also offering a strong input by current practitioners both from England and abroad. The location of the Law School in the City of London itself means that it is very convenient for the City institutions and the Royal Courts of Justice and the wider cultural experience that London has to offer.

**AEADE and the Venue:** The Association for Arbitration of Europe (AEADE) is a leading and independent Arbitration and Mediation Institution. Its Spanish Arbitration Center is located right in the heart of Madrid, where the Course will take place. The exact address is Calle Campoamor no. 18, 3 floor, 28004, Madrid Spain. Their phone number is +34 914319796 and their website for further location details is [www.aeade.org](http://www.aeade.org).

### **Enquiries and Application Form**

Enquiries about the course may be sent by e-mail to the Deputy Director: [mroca@bdlezo.com](mailto:mroca@bdlezo.com)

Sent him also an e-mail to get the Application Form or visit [www.derechomaritimo.info](http://www.derechomaritimo.info) where you will find it ready to be filled in, and don't miss this great chance. Spaces are limited, so please be quick in booking your space!



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