

Training Workshop Programme 2017

Preparing for Third Party Settlement of Boundary & Territorial Disputes

20-22 March 2017, The Hague, The Netherlands



EVERSHEDS

Third party settlement should always be considered as an option in boundary disputes. Learn to evaluate the pros and cons to ensure a successful outcome from the adjudication process.



INTRODUCTION

Although it is widely recognised that boundary disputes are best settled through negotiation, there are times when recourse to third party settlement also needs to be considered as an option. This workshop is designed to help governments and their legal advisors evaluate the benefits and disadvantages of third party adjudication, and to equip them with information and skills to ensure a successful outcome from the process.

Led by highly experienced international lawyers and boundary practitioners, the workshop will offer practical instruction on topics such as: choice of forum; assembling and assessing evidence; building and managing a team; presenting your case and rebutting your opponent's case.

The workshop, organised in partnership with leading international law firm Eversheds, will be of value not only to countries currently involved in boundary litigation or arbitration but also to any country seeking to achieve a peaceful boundary settlement with its neighbours.

Who should attend?

- Diplomats
- Ministers and Ambassadors
- Legal Advisors
- Technical Advisors
- Consultants and researchers
- Commercial litigators

TUTORS



Mr Rodman Bundy, Director, Dispute Resolution Group, Eversheds LLP, is a member of the New York bar and former member of the Paris bar, Mr. Bundy currently practices out of the Singapore office of the law firm Eversheds LLP. He has acted for some thirty-five years as counsel and advocate in more than 25 cases before the International Court of Justice and international arbitral tribunals involving issues of disputed sovereignty, maritime delimitation and State responsibility. Most recently, Mr. Bundy has appeared in the Cambodia/Thailand case involving the interpretation of the ICJ's judgment in the Temple of Preah Vihear case, the Pedra Branca case between Singapore and Malaysia, the Peru-Chile maritime delimitation case, the Nicaragua-Colombia sovereignty and delimitation case and the Slovenia-Croatia boundary arbitration.



Philippe Couvreur, Registrar, International Court of Justice, is serving his third term of seven years as Registrar of the International Court of Justice (elected in 2000 and re-elected in 2007 to 2014). Prior to this, he was Principal Legal Secretary of the International Court of Justice, from 1995 to 2000. He started to work for the ICJ in 1982 as Special Assistant in the offices of the Registrar and Deputy-Registrar. After four years in this capacity, he moved on to become a Senior Secretary of the Court between 1986 and 1994 and subsequently as First Secretary from 1994 to 1995. Author of numerous publications and speaker at various symposia and conferences, Mr. Couvreur has been a guest lecturer in public international law at the Law Faculty of the Université Catholique de Louvain since 1997.



Professor Vaughan Lowe QC, is a practising Barrister at Essex Court Chambers, mainly in the field of international law, with cases in the International Court of Justice, the ECJ, the ECHR, the ITLOS, the Iran-US Claims Tribunal, ad hoc Arbitral Tribunals and courts in England and Hong Kong, among others. He has also sat as an arbitrator in many investment arbitrations under the auspices of ICSID, the Permanent Court of Arbitration and other bodies, and on the tribunals addressing the boundaries between Trinidad and Barbados, and between Croatia and Slovenia. He sat as an ad hoc judge on the European Court of Human Rights and is the UK-nominated judge on the European Nuclear Energy Tribunal. He is Emeritus Chichele Professor of Public International Law and an Emeritus Fellow of All Souls College in the University of Oxford.



Ms Loretta Malintoppi, Independent Arbitrator and Attorney, specializes in Public International Law and is a member of 39 Essex Chambers. Currently based in Singapore, Ms Malintoppi has a law degree from Rome University and holds an LLM in Common Law Studies from Georgetown University Law Centre. Ms Malintoppi is dually-qualified (Paris and Rome Bars) and specializes in international arbitration, both commercial and investment arbitration, and in public international law. She has acted as counsel, advocate and arbitrator in a number of arbitrations regarding disputes arising out of international commercial contracts and has represented private companies, States and State entities in UNCITRAL, ICC and ICSID proceedings. Ms Malintoppi has appeared as counsel and advocate before the International Court of Justice and has also represented states in ad hoc public international law arbitrations. She was a Member of the ICC International Court of Arbitration from 2000 to 2009 and is currently a Vice-President of the ICC Court. Ms Malintoppi is regarded by the legal directory Chambers Global as a leading individual in international arbitration.



Professor Alina Miron, Professor of International Law, University of Angers (France), is co-director of the Master of International and European Law at Angers University and her main themes of interest concern contentious proceedings before international courts and tribunals, the law of international organizations, application of international law by domestic judges. She currently works on the theme of maritime activities in disputed maritime areas. She has been Counsel and Advocate for States in a number of cases before the International Court of Justice, the International Tribunal of the Law of the Sea and before arbitral tribunals. Most recently, Professor Miron appeared in Maritime Delimitation in the Indian Ocean (Somalia v. Kenya), Delimitation of the Maritime Boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean, Whaling in the Antarctic (Australia v. Japan), Request for interpretation of 2011-2014 the Judgment of 15 June 1962 in the case concerning the Temple of Preah Vihear (Cambodia v. Thailand) and in the Land and Maritime Delimitation arbitration between Croatia and Slovenia.



Professor Martin Pratt, Director Bordermap Consulting, is an internationally-respected expert in boundary-making, border management and territorial dispute resolution, with over twenty years' experience working with governments, international organisations, businesses, scholars and practitioners around the world to resolve and prevent boundary-related conflict. He has extensive practical experience in maritime boundary negotiations and third-party adjudication of boundary and sovereignty disputes, most recently serving as a technical advisor to Côte d'Ivoire in the Dispute concerning delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean before a Special Chamber of the International Tribunal for the Law of the Sea. Martin worked at IBRU from 1994-2015, leading the Centre's consultancy and professional training programmes for over a decade, and he remains an Honorary Professor in Geography at Durham University.

TUTORS CONTINUED



Mr Garth Schofield, Senior Legal Counsel, Permanent Court of Arbitration (PCA), has administered numerous arbitrations and works closely with arbitral tribunals acting as registrar or secretary to the tribunal. Mr. Schofield has assisted the arbitral tribunals constituted in the Bay of Bengal Maritime Boundary Arbitration (Bangladesh v. India); Indus Waters Kishenganga Arbitration (Pakistan v. India); Chagos Marine Protected Area Arbitration (Mauritius v. United Kingdom); ARA Libertad Arbitration (Argentina v. Ghana); Railway Land Arbitration (Malaysia/Singapore); Arbitration under the Timor Sea Treaty (Timor-Leste v. Australia); South China Sea Arbitration (Philippines v. China); Arbitration concerning Article 8(b) of the Timor Sea Treaty (Timor-Leste v. Australia); and the Timor Sea Conciliation (Timor-Leste v. Australia). Mr. Schofield is a graduate of Yale Law School and The Fletcher School of Law and Diplomacy. Prior to joining the PCA, Mr. Schofield's work included litigation on international law matters in U.S. courts and rule of law initiatives for the United Nations Mission in Sudan. He is admitted to practice in the state of New York.



Mr. Tullio Treves, Senior International Consultant, International Arbitration group, Curtis, Mallet-Prevost, Colt & Mosle LLP, and former ITLOS Judge, was a Judge of the International Tribunal for the Law of the Sea from 1996 to 2011. Within the Tribunal, he was the President of the Seabed Disputes Chamber, including in the proceedings for the delivery, on 1 February 2011, of an Advisory Opinion upon the request of the Council of the International Seabed Authority. He has chaired the Tribunal's Committee of the Whole for the drafting of the Rules of the Tribunal. Mr. Treves has acted as the Counsel of France in the Arbitration with Canada on the delimitation of maritime zones in the area of Saint-Pierre-et-Miquelon, for Finland in the Great Belt case before the International court of Justice, of Peru in the maritime dispute with Chile (pending). He is an Ad hoc Judge chosen by Panama in the *Virginus* case before the International Tribunal for the Law of the Sea (pending). Finally, he has experience as a Consultant to various Governments and International Organizations and as Chairman of an Arbitration tribunal of the Cairo Regional Centre for International Commercial Arbitration. Mr. Treves is a Professor of Public and Private International Law at the Law Faculty of the State University of Milano, a position he has held since 1980.

PROGRAMME

Monday 20 March	0830-0900	Registration
	0900-1000	International boundary disputes and their resolution
	1000-1100	Fora for third-party adjudication: The International Court of Justice
	1130-1230	Fora for third-party adjudication: ITLOS
	1230-1330	Lunch
	1330-1430	Fora for third-party adjudication: Arbitration
	1500-1600	Choosing a forum and bringing a case
	1600-1700	Practical exercise: Negotiating and drafting a special agreement 1
Tuesday 21 March	0900-1000	Practical exercise: Negotiating and drafting a special agreement 2
	1030-1130	Case management
	1130-1215	Evidence to support your case
	1215-1315	Lunch
	1315-1430	Presenting your case: making the most of written pleadings and oral arguments
1500-1730	Practical exercise: Preparing and presenting a Memorial	
Wednesday 22 March	0900-1015	"A view from the Bench"
	1045-1145	Technical support in boundary cases
	1145-1245	After the Judgment

IBRU reserve the right to change or modify the programme and tutors participating without prior notice to participants

INFORMATION

The Hague, The Netherlands

The Hague is the seat of the Dutch government and parliament, the Supreme Court, and the Council of State. The city has a population of around 500,000 and is only a 30 minute train journey from the capital City Amsterdam and the main hub airport. For more information on The Hague visit <http://denhaag.com/en>

The Hilton Hotel and Peace Palace

The workshop will be held in The Hilton Hotel in The Hague, The Netherlands for the duration of the workshop.

The hotel is a short taxi or tram ride from the central station which has trains arriving every 20 minutes from Amsterdam airport. The hotel is a 5 minute walk from the Peace Palace.



What will it cost?

The cost of the workshop is **£1,800** per participant.

We regret that payment can only be accepted in GBP sterling. However, we are able to accept payment by most major credit and debit cards.

Full payment **MUST** be received prior to the workshop to guarantee the booking. If full payment is not received before the deadline date of **3 March 2017**, any provisional

places booked will be removed. Bookings made after 3 March 2017 will only be guaranteed with payment in full and if places are still available

In addition to tuition and all course materials, the fees cover the following:

- Lunch and refreshment breaks on 20, 21 and 22 March
- Workshop dinner on the evening Tuesday 21 March

How to book

Places are limited and early booking is highly recommended:

- 1 Contact the IBRU Events Team or complete the online booking form at www.durham.ac.uk/ibru/workshops/booking
- 2 Acknowledgement of the provisional booking will be sent by email with information on how to pay.
- 3 If payment is not received by the deadline specified, the reserved place will be cancelled and your booking removed to a waiting list. Your place will only be confirmed when payment is received and if a place is still available.
- 4 Please ensure you have the relevant visa in place for your travel to The Netherlands before paying for your place.

Additional information

Accommodation

Accommodation is not included in the workshop fee. IBRU have negotiated a special rate at the Hilton The Hague. The bed and breakfast rate of €89 per room is only available until 28 February 2017. This rate includes internet access. If you would like to take advantage of this offer please follow the link to the personalized online booking page for this event. <http://eventsathilton.com/showV2/587cb0e34eafd83e649f0b60>

Workshop Seminar

Workshop seminar will be held at The Hilton hotel.

Language

Teaching and workshop materials will be in English. We regret that we are unable to provide translation or interpreting services.

Cancellations

Cancellations must be received in writing not later than the 3 March 2017 and will be subject to a £150 cancellation fee, unless a substitute participant is offered. After this date the full registration fee will be charged for all cancellations.

Programme changes

IBRU reserves the right to modify the programme as necessary without notice to participants.

Contact Information

If you have any questions about the workshop please contact the IBRU Events Team.

IBRU: Centre for Borders Research, Department of Geography, Durham University, DH1 3LE, United Kingdom.

Tel: +44 (0)191 334 1965

Email: ibru-events@durham.ac.uk

Web: www.durham.ac.uk/ibru/workshops

