

REGISTRATION NOW OPEN

Civil Law Concepts in Focus: A Colloquium on Good Faith and Contract Interpretation in MENA and Beyond

11 May 2023

Conference: 09:00 – 17:30

Cocktail Reception 17:30 – 19:00

Location: ADGM, Abu Dhabi

To secure your place, please email events@arbitra.co.uk

Focusing on the civil law traditions of the MENA region, this one-day Colloquium aims at examining essential concepts developed in the civil law systems with a comparative approach from different jurisdictions and legal systems. In this first conference, which aims to be an annual meeting for sharing knowledge and experience, preeminent academics and practitioners will discuss two fundamental topics: the concept of good faith and the principles applicable to the interpretation of contracts in civil law jurisdictions.

Law professors, judges and practitioners from the MENA region and other civil law jurisdictions (France, Italy, Switzerland, Belgium etc.) will provide insight into how these concepts are implemented in various civil law jurisdictions.

Both civil law and common law professionals, from the private and public sectors, in-house and outside counsel would benefit from and contribute to a comparative discussion on these fundamental concepts. Eminent academics and practitioners will lead the discussion on theoretical and practical levels.

Co-chaired by Lara Hammoud and Carine Dupeyron.



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PROGRAMME & SPEAKERS

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Speakers

Linda Fitz-Alan, ADGM

Prof. Dr. Mohamed Abdel Wahab, Zulficar & Partners

Professor Sébastien Besson, Lévy Kaufmann-Kohler

Professor Christophe Seraglini, Freshfields Bruckhaus Deringer

Dr. Hassan Arab, Al Tamimi & Company

Alain Farhad, Mayer Brown

Ali AlAidarous, AlAidarous Advocates

Ali Al Hashimi, Global Advocacy & Legal Counsel

Sara Koleilat-Aranjo, Al Tamimi & Company

Dr. Karim Nassif, Nassif Arbitration

Jean-François Tossens, Tossens Goldman Gonne

Samaa Haridi, King & Spalding

Mohamed Shelbaya, GBS Disputes

Marc Henry, FTMS Avocats

Alec Emmerson, ADR Management Consultancies // Arbitra

Dr. Layla Joneydi, University of Tehran

Judge Zalfa El Hassan (Lebanon)

Michele Sabatini, ArbLit

Gordon Blanke, Blanke Arbitration

Philippe Pinsolle, Quinn Emmanuel

Claudine Helou, Helou & Saade

Lara Hammoud, ADNOC // Arbitra

Carine Dupeyron, Darrois Villey Maillot Brochier

Fatima Belfaqeeh, SCCA

Marieke van Hooijdonk, Allen & Overy

Judge Robert Spano, Gibson Dunn

Roland Ziade, Linklaters

Floriane Lavaud, Debevoise & Plimpton

Antonia Birt, Reed Smith

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PROGRAMME & SPEAKERS

Programme

9h – 9h30 – Welcoming participants

9h30 - 10h

- Welcoming remarks by Linda Fitz-Alan
- Introductory remarks by the Co-Chairs - Lara Hammoud and Carine Dupeyron
- Keynote Speech - Prof. Dr. Mohamed Abdel Wahab

Morning (10h – 13h) – Focus on the Interpretation of civil law Contracts: the parties' intent

Session 1: Weight of the Parties' intention in the interpretation of contracts in civil law systems (1h30)

- Academic point of view – Contract interpretation and the role of the parties' intent in civil law– including comparative analysis between continental Europe civil law jurisdictions
- Current law and case law status in the UAE including comparative studies between Middle Eastern jurisdictions

Coffee break (11h30 – 12h)

Session 2: Practical session: Practical considerations around the parties' intent – panel discussion with interactive debate – (1h)

- Practical approach: how to find and interpret the parties' intent in transactions and disputes: role of the negotiations, what evidence is relevant
- Cultural differences in approaching the parties' intent from a common law perspective/misconceptions, misinterpretation and errors
- Debates

Lunch (13h – 14h)

Afternoon (14h – 17h) – Focus on the performance of civil law Contracts: the concept of Good Faith

Session 3: The role of Good faith in performing civil law contracts – (1h30)

- Academic point of view – Good faith concept in civil law– including comparative analysis between continental Europe civil law jurisdictions
- Current law and case law status in the UAE including comparative studies between Middle Eastern jurisdictions

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Coffee break (15h30 – 16h)

Session 4: Practical considerations around Good faith – panel discussion with interactive debate – (1h)

- Practical implementation of the Good faith principle in transactions and disputes
- Cultural differences in approaching Good faith from a common law perspective/misconceptions, misinterpretation and errors
- Debates

Closing remarks: 17h -17h20

Cocktail Reception: 17h30 – 19h00