



DAV Turkey

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# INTERNATIONAL ARBITRATION

Focus on Practices

**16 MAY 2013** ISTANBUL  
REZAN HAS MUSEUM



in cooperation with

Deutscher Anwaltverein

Arbeitsgemeinschaft  
Internationaler Rechtsverkehr

## PROGRAM

16 May 2013

09:30 – 10:00

**Registration & Refreshments**

10:00 – 10:30

**Welcome**

**Rain. Av. Handan Ilhan**, Partner, Inopra Attorney Partnership, President of DAV-Turkey

10:30 – 11:00

**Opening Remarks**

**RA Dr. Michael Brauch**, Partner, SKW Schwarz Rechtsanwälte, President of the International Section of the DAV

11:00 – 12:30

**Session I: The Interplay between Different Legal Systems in International Arbitration.  
“Procedure mixture-experiences”**

**Session Chair**

**Av. Dr. Ismail Esin**, Partner, Esin Attorney Partnership, Member of Baker & Mc Kenzie Int., Board Member of DAV Turkey

**Speakers**

**Prof. Dr. Ali Cem Budak**, Law Faculty, Yeditepe University

**Dr. Francesca Mazza**, Secretary General Designate, DIS e.V.

**Av. Idil Çağa**, Partner, Çağa Law Firm

**Prof. Dr. Irene Welsler**, Partner, Cerha Hempel Spiegelfeld Hlawati Law Firm

12:30 – 13:15

**Lunch**

13:15 – 14:45

**Session II: FOCUS on the Arbitration Procedures: The Energy Sector  
Long-Term Contracts in the Energy Sector - Treaty Drafting and Negotiation  
Practices under different Arbitration Procedures: the Energy Charter Treaty; BIT's, ICC Rules and Ad Hoc Arbitration**

**Chair**

**RA Dr. Christian Borris**, Partner, Freshfields Bruckhaus Deringer LLP

**Speakers**

**RA Prof. Dr. Richard Kreindler**, Partner, Shearman & Sterling LLP

**Av. Celal Savaş**, General Counsel and Board Member, Siemens A.Ş.

**Av. Melis Acuner**, Managing Associate, Skadden, Arps, Slate, Meagher & Flom LLP

**Rain. Ulrike Gantenberg**, Partner, Heuking Kühn Lüer Wojtek, Board Member of DIS e.V.

14:45 – 16:15

**Session III: FOCUS on the Dispute Resolution in Telecoms  
Commitment of the Government in Concession Agreements  
Public Order Exceptions to Set Aside Arbitral Awards Dealing with Telecom Disputes?  
Recognition and Enforcement of Foreign Arbitral Awards in Turkey Relating to Telecom Disputes-on Basis of Case Studies**

**Chair**

**RA Dr. Stephan Wilske**, Partner, Gleiss Lutz Law Firm

**Speakers**

**Prof. Dr. Bahadır Erdem**, Partner, Erdem Law Firm

**Av. Ümit Akın**, Partner, Akın Law Firm

**Av. Doğan Coşgun**, Chief Legal Advisor, Avea Telecoms Turkey

**Dr. E. Seyfi Moroğlu**, Partner, Moroğlu & Arseven

16:15 – 16:45

**Coffee Break**

16:45 – 18:15

**Session IV: Discussion Round Table: Current Issues in Arbitration  
The Interplay between Arbitration and Litigation - A Local View of Experts Globalization of Disputes:  
The Future - Third-Party Funding of Arbitration  
Role of Arbitration in Turkey: Positioning of an Arbitration Tribunal in Istanbul**

**Chair**

**Prof. Dr. Christian Rumpf**, Partner, Rumpf Law Firm

**Speakers**

**Prof. Dr. Cemal Şanlı**, Partner, Şanlı Law Firm

**Av. Ahmet Kurutluoğlu**, Chief Legal Counsel & Board Member, Doğu Holding

**Av. Dr. Levent Bıçakçı**, Partner, Bıçakçı Law Firm, Vice Chairman of DAV Turkey

**Prof. Dr. Arzu Oğuz**, Dean of the Law Faculty, Ankara University

**Q/A**

**Closing Remarks**

18:30

**Network Cocktail along the Bosphorus**

English-Turkish simultaneous translation will be provided.

## REGISTRATION FORM / KATILIM FORMU

Please return your completed form to / Lütfen doldurup aşağıdaki irtibat adreslerinden birine gönderiniz

DAV-Turkey – Mrs. Sanem Malatyalıoğlu

BJK Plaza, A Blok, D: 108-1, Süleyman Seba Cad. 48, TR 34357 Beşiktaş-Istanbul

info@dav-tr.org F. +90 212 227 02 80

**Participant Information Form** (please complete) / **Katılımcı Bilgileri** (Lütfen doldurunuz)

**Name-Surname / Adı-Soyadı** \_\_\_\_\_

**Profession / Meslek** \_\_\_\_\_

**Firm-Organisation / Firma-Organizasyon adı** \_\_\_\_\_

**Address / Adres** \_\_\_\_\_

**Phone / Telefon** \_\_\_\_\_

**Fax / Faks** \_\_\_\_\_

**Email** \_\_\_\_\_

### Registration Fees / Katılım Ücreti

	Registration till 01.05.2013	After 01.05.2013
Members of DAV & ICC Turkey / DAV & ICC Türkiye üyeleri	<b>200 EUR</b>	<b>230 EUR</b>
Non-Members / Üye olmayan katılımcılar	<b>240 EUR</b>	<b>280 EUR</b>
FORUM Young Lawyers Members / Full time academics / Government employees / Genç avukatlar / Full time akademisyenler / Resmî görevliler	<b>180 EUR</b>	<b>200 EUR</b>

### PAYMENT METHODS

#### Bank transfer

Please instruct your bank to make the transfer 'free of charges to the DAV Turkey' and to quote your name and 'Istanbul ADR 2013'.

Please send a copy of the transaction details with your registration form.

Account Name: DAV-Alman Avukatlar Derneği

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Swift Code: ISBKTRIS

Account No: 1008 1037669

Bank: T. İş Bankası A.Ş.

Vişnezade Mah. Dolmabahçe Cad.

TR-34330 Beşiktaş-Istanbul

#### Credit card (Visa/MasterCard)

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Name of cardholder: \_\_\_\_\_

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*\*If preferred, please email your card verification number separately to info@dav-tr.org when registering (n.b. we do not store this number)*

**Signature**

**Date**

*CANCELLATION: We take receipt of your signed registration form as your commitment to attend this symposium in Istanbul. If you do need to cancel, for any reason, the DAV Turkey must be notified in writing. If written cancellation is received at the DAV Turkey office by 1 Mai 2013, the registration fee will be refunded less a 50% administration charge. We regret that no refunds can be made after this date.*

*\* According to the Turkish association regulations all participants make with signing of the registration form a donation in the amount of the registration fee and will issued a donation receipt.*



## SYMPOSIUM PHILOSOPHY

This symposium provides a professional platform for delegates to share news and views of the actual development in International Arbitration. Delegates will explain the interplay of different legal systems, as an effect of Globalisation. Current Issues will be discussed by focusing on dispute resolution in the fields of energy and telecoms. Under the expert guidance of the well-known Chairs, the delegates will be encouraged to discuss keynotes of current issues and the best practices in the field of International Arbitration.

### FOR

Arbitrators, practitioners, in-house counsels, academics and members of the local and international business community interested in the actual discussions in the field of International Arbitration



### SYMPOSIUM/LUNCH VENUE

#### Rezan Has Museum

Istanbul, Turkey

### REGISTRATION FEE

The registration fee covers the following:

- The working sessions
- Certificate of Participation
- Lunch
- All tea/coffee breaks
- Symposium documentation
- Network Cocktail

### IF YOU WISH TO ATTEND

Please email or fax your completed registration form to DAV Turkey Mrs. Sanem Malatyalıoğlu:

**info@dav-tr.org / +90 (0) 212 227 02 80**

Your place will be confirmed by email once we have received your registration form and payment.

**Melis Acuner**

*Managing Associate at Skadden, Arps, Slate, Meagher & Flom LLP*

Melis Acuner completed Masters in Business and European Law at the Robert Schuman University and London School of Economics and she has a postgraduate diploma in Public International Law from the Pantheon-Assas, Paris II. She is admitted to the Bar of England & Wales and Paris and advises in international arbitration issues across civil and common-law jurisdictions.

**Ümit Akın, LL.M.**

*Managing Partner at Akın Law Office*

Ümit Akın, until August 2012 served as Chief Legal Officer, Vice President and General Secretary of the Board of Directors at Turkcell, the leading GSM Company in Turkey. Akın holds a master degree in Public Law since 1998 and has frequently lectured at several Law Schools within Turkey.

**Dr. Levent Bıçakçı**

*Managing Partner of Bıçakçı Law Office*

Dr. Bıçakçı was a member of the FIBA Legal Commission from 1998-2006, a board member of the Turkish Basketball Federation in 1998-2002 and Head of the Turkish Football Federation in 2004-2005. From 1976 to 1984 he worked as a teaching/research assistant in the Common Law department of the Faculty of Law, Istanbul University. During this period he spent a year in Germany on a DAAD scholarship where he carried out research towards his Ph.D.

**Dr. Christian Borris**

*Partner of Freshfields Bruckhaus Deringer LLP*

Dr. Borris acts as counsel and as arbitrator in international and national arbitrations and is with Freshfields Bruckhaus Deringer since 1989. He is a member of the firm's International Arbitration Group and has long-standing expertise in M&A, joint ventures, corporate law, commercial law and energy. From 1987 to 1989, Dr. Borris was a member of the Iran-United States Claims Tribunal.

**Dr. Michael Brauch**

*Partner of SKW Schwarz Rechtsanwälte*

Dr. Brauch is Partner with SKW Schwarz Rechtsanwälte since 1983. He advises international companies according their investments in Germany and as arbitrator, during international arbitration proceedings. He is Honorary Consul General of the People's Republic of Bangladesh for Bavaria and Baden-Württemberg and since 1997 Commercial mediator (DAA).

**Prof. Dr. Ali Cem Budak**

*Law Faculty, Yeditepe University*

Prof. Budak is teaching Civil Procedure, Insolvency and International Civil Procedure at Yeditepe University Faculty of Law. He received LL.M. degrees from the University of London and the University of Istanbul. With his Ph.D. degree from the Bremen University, he was awarded in 1997 from the Bremen University award for the best doctoral thesis in Social Sciences.

**Doğan Coşgun**

*Chief Legal Advisor at Avea Communication Services*

Doğan Coşgun served as a Legal Coordinator respectively within Yıldız Holding A.Ş. between 2000-2008. Serving as the Legal Affairs Group Head in Turkuaz Media Group between 2008-2011. Since May 2011 he is with Avea. Doğan Coşgun was graduated from Faculty of Law of Istanbul University and got master degree in the department of Private Law in Marmara University.

**S. Idil Çağa Değerli LL.M.**

*Partner of Çağa Law Firm*

Idil Çağa is Partner of the Çağa Law Firm. She is graduated from the Istanbul University, School of Law and hold her LL.M. from the Ludwig Maximilians University, Munich - LL.M. She is director of the Çağa Foundation, which award prices for Lawyers each Year.

**Prof. Dr. B. Bahadır Erdem**

*Founder of Erdem Law Firm*

Prof. Erdem gives lectures on private international law, conflict of laws, international civil litigation, in Law School and School of Political Sciences at Istanbul University for the candidates of bachelors, master and PhD degrees. He is founding Partner of Erdem Law Office.

**Dr. Ismail G. Esin**

*Managing Partner of Esin Law Firm*

Following his graduation from the Istanbul University Law School in 1990, Dr. Esin completed a Master's Degree and PhD at Tubingen Law School He has been lecturer to postgraduate students in Economic Law at Bilgi University on Mergers & Acquisitions since 2001. His practice areas include arbitration, mergers and acquisitions, privatization and real estate.

**Ulrike Gantenberg**

*Partner of Heuking Kühn Lüer Wojtek*

Ulrike Gantenberg acts in national and international arbitrations (ad hoc, institutional) as arbitrator (chairman, sole and party-appointed) and as counsel. Gantenberg is Member of the Board of Directors of the German Institution of Arbitration (DIS) She is since 2001 with Heuking Kühn Lüer Wojtek.

**Handan İlhan**

*Managing Partner of Inopra Attorney Partnership*

Handan İlhan is Partner of Inopra since 2009. Following her graduation from the Law Faculty of the Cologne University and the Istanbul University, she is doing her doctorate at the Istanbul University in International Arbitration. Admitted to the Istanbul and Cologne Bar Association, İlhan advises her clients with focus on energy, transactions and arbitration.



**Prof. Dr. Richard Kreindler**

*Partner of Shearman & Sterling LLP*

Prof. Kreindler is a Partner of Shearman & Sterling LLP, Frankfurt and has specialized in international arbitration and litigation matters for the past 25 years. He is a member of the New York and Paris Bars. He is also Honorary Professor of Law at the University of Münster, Germany, where he has taught for over a decade. He is a graduate of Harvard, Munich, Columbia and Münster Universities.



**Ahmet Kurutluoğlu**

*Chief Legal Consultant and Board Member of Doğu Holding*

Ahmet Kurutluoğlu obtained his undergraduate degree from Faculty of Law, his MBA degree from the Business Administration Faculty. He joined Doğu Group in 1981 and has served as a Legal Consultant for Doğu Holding and Doğu Construction. He currently serves as a member of the Board of Directors for Doğu Holding and as the Chief Legal Consultant of the Group.



**Dr. Francesca Mazza**

*Secretary General Designate of DIS e.V., German Institution of Arbitration*

Francesca Mazza was Counsel of the ICC International Court of Arbitration, at the Headquarter in Paris between 2003–2011, Secretary to the ICC Commission on Arbitration between 2009–2012. She is Italian and German Lawyer and holds a PhD from the University of Heidelberg.



**Dr. E. Seyfi Moroğlu, LL.M.**

*Founding Partner of Moroğlu & Arseven*

Dr. Moroğlu, LL.M. is one of the founding Partners of Moroğlu Arseven. He advises especially in cross border bank mergers, stock financing. He is graduated from the Istanbul University and has his LL.M. and PhD from the University of Hamburg. He is admitted to the Istanbul Bar Association.



**Prof. Dr. Arzu Oğuz**

*Dean of the Law Faculty, Ankara University*

Prof. Oğuz, Dean of the Law Faculty of the Ankara University, and is teaching in Comparative Law and European Private Law. She is also Director of the Research Centre for Intellectual and Industrial Property Law and Application of the Ankara University. She is graduate from the Ankara University, wrote her doctoral thesis from 1991-1997 at the Ludwig-Maximilians University in Munich.



**Prof. Dr. Christian Rumpf**

*Founder of Rumpf Law Firm*

Prof. Rumpf advises in Turkish commercial law, arbitration, German and international public law and has acted as arbitrator and counsel in different international arbitration processes. He has taught at universities in Bamberg, Frankfurt/Main, Munich, Passau and at Yeditepe Istanbul. He is Honorary professor at the University of Bamberg since 2004.



**M. Celal Savaş**

*General Counsel and Member of Board of Siemens A.Ş.*

M. Celal Savaş worked before with the BP Petrolleri A.Ş. Turkey. He is graduate of the Istanbul Law Faculty and was Research Assistant for History of Turkish Law at the Istanbul University. Savaş is since 2006 with Siemens.



**Prof. Dr. Cemal Şanlı**

*Managing Partner of Şanlı Law Firm*

Prof. Dr. Şanlı, graduated of the Istanbul University, completed his Ph.D. with his thesis „International Commercial Arbitration“ at the London University. He was head of the Institute for International private Law of the Istanbul University and he has deep experience as arbitrator in several international arbitration processes. Mr. Şanlı is the Founding Partner of Şanlı Law Firm. He is also the Deputy Chairman of the Board and of the Executive Committee of Turkish Airlines.



**Prof. Dr. Irene Welser**

*Partner of Cerha Hempel Spiegelfeld Hlawati*

Prof. Welser advises in Litigation and Arbitration issues. She is lecturing at the University of Vienna at present on the subject of Civil Law and Liability of Management and Control Boards. Prof. Welser is graduated from the University of Vienna.



**Dr. Stephan Wilske, LL.M.**

*Partner of Gleiss Lutz Law Firm*

Dr. Wilske, Maître en Droit, LL.M. is a graduate of Universities of Tübingen, Aix-en-Provence/France and Chicago/USA (Casper Platt Award 1996), advises his clients on arbitration and cross-border litigation. He is admitted in Germany, New York and to various U.S. federal courts including the U.S. Supreme Court. He has acted in numerous arbitrations (national and international) and is with the Stuttgart office since 1997.