

1.	Winning the first appointment - top tips?
2.	The proper approach to the allocation of costs - broad brush or into the trenches?
3.	The cost submission - high level summary or bill of costs? What is the right approach, what proof should be expected and just how much costs should be invested on claiming costs?
4.	The alleged power of the Tribunal to control who represents the parties: have recent ICSID cases seen the tail wagging the dog? Should commercial arbitration tribunals follow this trend?
5.	Delinquent tribunals - to chase or not to chase, that is the question? Should you bib the tiger or let sleeping dogs lie?
6.	Regarding the Jivraj v. Hashwani case, heard recently at the Supreme Court - what are the best arguments for not considering that arbitrators are employees under employment regulations? Do delegates agree with the Court of Appeal's statement that appointing an arbitrator "is no different from instructing a solicitor to deal with a particular piece of legal business, such as drafting a will, consulting a doctor about a particular ailment or an accountant about a tax return"?
7.	Further to the publication of the CEDR Rules for the Facilitation of Settlement in International Arbitration, CEDR has now issued its Sample Directions for the Facilitation of Settlement in International Arbitration. To what extent do delegates consider that (i) clients will agree to incorporate these sample directions (or a version thereof) into their future contracts, (ii) clients will agree to the incorporation of these guidelines into the Terms of Reference / procedure of an arbitration, and (iii) more tribunals across the world will adopt a proactive approach to settlement of disputes before them.
8.	How is it best to deal with the live evidence of expert witnesses: Cross-examination, "hot-tubbing" or a bit of both? Which is the most useful and effective?

9.	Request, Response, Statement of Case, Statement of Defence, Reply, Rejoinder, post-hearing briefs: are they all necessary?
10.	Was the English court or the French court wrong in <i>Dallah</i> ? Or neither of them? (Or both?)
11.	Does the "Sachs Protocol" have a future?
12.	In civil claims, the English and Welsh courts can exercise their discretion to award adverse costs orders against parties on the grounds of disproportionate or unreasonable conduct. Should similar considerations influence an arbitrator when making costs orders?
13.	Appointing the Tribunal: if two co-arbitrators are to choose the chair, what level of ex parte consultation with the appointing party is appropriate? Should express agreement to such consultation be required before they take place (as I understand is the practice of the LCIA)?
14.	Procedure: the IBA Rules are now commonly applied - but are they always applied properly? What can be done to ensure that they are?
15.	Costs: given the sums involved are often significant, how should the quantum of costs be assessed?
16.	Dos and Don'ts when dealing with the arbitral tribunal: Practical matters to consider when communicating with the tribunal and filing pleadings and documents"
17.	Experts: Will the 30 March 2011 decision of the UK Supreme Court in <i>Jones v Kaney</i> to remove the immunity from suit previously enjoyed by expert witnesses affect the manner in which experts give evidence before arbitral tribunals, either positively or negatively?

18.	<p>Arbitral Seats: Are delegates able to report on any developments in the efforts of various seats to promote themselves through investment in facilities. Singapore took the lead with Maxwell Chambers. Hong Kong is trying to follow suit. In the latest budget, the UK Chancellor referred to arbitration as one of the UK's "unsung success stories" and made a commitment to "promote the UK as the global centre of legal arbitration". How is that being done / to be done?</p>
19.	<p>Availability: Do parties and institutions appointing arbitrators do enough to establish the availability of arbitrators to deal with the case expeditiously, including establishing available dates for lengthy merits hearings? Is it going too far to compare the availability of candidates for presiding arbitrator with the availability of party-appointed arbitrators before confirming the chairman?</p>
20.	<p><i>Jivraj v Hashwani</i> - should nationality requirements for arbitrators under the LCIA Rules be expressly excluded in an arbitration clause or is this a step too far? If they were would the LCIA ever appoint a chairman or sole arbitration who was a national of a party?</p>
21.	<p>Competence-competence in light of <i>Dallah</i>. Is there any real alternative to a complete review by the courts and how could the potential consequences be mitigated.</p>
22.	<p>The recent debate are the merits of arbitrators with a purely academic background versus those with commercial arbitration experience in investor-state arbitration, especially in the annulment phase. See, e.g., <a href="http://www.globalarbitrationreview.com/news/article/29341/two-types-arbitrators">http://www.globalarbitrationreview.com/news/article/29341/two-types-arbitrators</a></p>
23.	<p><b>Bribery and Arbitration:</b>  A number of arbitration disputes, especially those involving State contracts in developing countries, include allegations of corruption. When can the UK Bribery Act, U.S. Foreign Corrupt Practices Act or other national anti-corruption laws be used by a party to a commercial dispute to bring pressure on the other party either within the scope of an arbitration proceeding or collaterally by means of whistleblower reports?</p>

24.	<p>Asymmetrical legal privilege and confidentiality in arbitration:  As arbitral tribunals consider requests for production of potentially privileged or confidential documents, is it possible for parties to the same proceeding to be bound by different rules if they come from different national jurisdictions? If no, would that be contrary to expectations of the parties at the time relevant documents were created? If yes, would that be contrary to the parity principle of international arbitration?</p>
25.	<p>Is there any merit in amending the Brussels regulation to include the enforcement of arbitral awards? This would allow the automatic enforcement of an award in all EU countries following its recognition for enforcement by the courts of one member state. What would be the potential problems (practical or theoretical) in such an approach?</p>
26.	<p>Should arbitrators be more robust in way they manage the arbitration process? Are they constrained by the consensual nature of arbitration and/or by concerns (however unfounded) over fairness and due process?</p>
27.	<p>Can witness conferencing ever work if the tribunal are not willing to do the work necessary to lead the process?</p>
28.	<p>Is the quality of advocacy in international arbitration proceedings as high as that found in national courts? Are counsel sometimes guilty of over-estimating their own advocacy skills?</p>