



# International Conference on the **ICC Trade Tools**

**INCOTERMS ®2010; UNIFORM RULES FOR DEMAND GUARANTEES (URDG 758);**

**ICC MODEL CONTRACTS; ICC DISPUTE RESOLUTION SERVICES**

**Istanbul, 10 – 11 November 2010**

**Venue:** Hilton Istanbul; Cumhuriyet Cad. Harbiye 34367 Istanbul

## **Background:**

**On 1 January 2011, a comprehensive revision of the ICC's Incoterms ® rules applying to billions of dollars of business transactions will come into effect.** First published in 1936, Incoterms ® rules are globally accepted contractual standards issued and updated regularly by the International Chamber of Commerce (ICC). Used in both international and domestic contracts for the sale of goods, the rules simplify the drafting of such contracts and help to avoid misunderstandings by clarifying the costs, risks and responsibilities of both buyers and sellers. The revision reflects the profound changes that have taken place in the global trade since 2000 and it responds to the needs of the global business community.

**The new ICC Uniform Rules for Demand Guarantees (URDG) came into force on 1 July 2010.** Destined to become the international standard for all demand guarantee practices, the rules apply to trillions of dollars of guarantees securing monetary and performance obligations in a wide array of international and domestic contracts. The URDG provide a framework for harmonizing international practices by setting out the liabilities and responsibilities of trading partners at each key stage of the lifecycle of independent guarantees and counter-guarantees.

**ICC Model Contracts and clauses provide a sound legal basis upon which parties to international contracts can quickly establish an even-handed agreement acceptable to both sides.** They are constructed to protect the interests of all the parties; designed to assist business people and lawyers by providing balanced, reliable models that can be used in transactions across sectors and borders. In particular, the models allow parties flexibility to tailor the provisions to their transactions, providing alternative language for situations having more than one solution, and highlighting issues that warrant consideration.

**ICC is the world's leading provider of international commercial dispute resolution services.** The rules created by the ICC, such as the Rules of Arbitration, the ADR Rules, the Expertise Rules and the Dispute Board Rules, have become part of the legal fabric of international commerce.

**ICC Turkish National Committee invites all professionals dealing with domestic and international trade, trade finance officers, import/export experts, risk managers, contract managers, lawyers, arbitrators and mediators, corporate counsels and academics to attend this international conference that will provide a unique opportunity to discuss ICC's international trade tools.**

**The panel presentations will be followed by a discussion, involving both the panel and participants from the floor. Each session will be closed by the moderator summing up results achieved. The presentations will focus on:**

- Introduction to Incoterms<sup>®</sup> 2010, drafting process, focus on the new terms, the major amendments, structure and main features of the rules; technical and practical presentations with the key persons involved in elaborating the new rules
- Introduction to the new URDG and the liabilities and responsibilities of the parties, drafting tips, feedback from banking and trade finance practitioners and export experts
- Introduction to the ICC Model Contracts; how to draft contracts in international commercial practice, the role and importance of ICC Model Contracts in international law
- Changes in ICC Arbitration rules, changes in IBA rules of evidence, arbitration clause, managing the risk of invalidity
- Interactive Question and answer sessions

### **Who should attend?**

- Trade finance officers in banks and finance companies; Credit insurance specialists, Contract/execution managers; Risk managers; Legal counsels, lawyers; Import/Export experts; CFOs; Freight and carriage operatives; academicians and all professionals dealing with international trade.

### **Speakers:**

- **Camilla Pagnetti**, Policy Manager, ICC Commission on Commercial Law and Practice (France)
- **Christian Steinberger**, Legal Counsel, Rechtsanwalt (RA); Head of Legal Services, the German Engineering Federation VDMA (Verband Deutscher Maschinen- und Anlagenbau); Vice Chair, ICC Commission on Commercial Law and Practice (Germany)
- **Christoph Martin Radtke**, Partner, Lamy & Associates; Chair, URDG Working Group of ICC Commission on Commercial Law and Practice (France)
- **Emily O'Connor**, Senior Policy Manager, ICC Commission on Commercial Law and Practice (France)
- **Emmanuel Jolivet**, General Counsel, International Court of Arbitration, ICC (France)
- **Ercüment Erdem**, Professor of Law, Galatasaray University; Partner, Erdem & Erdem; Council Member, ICC Institute of World Business Law; Vice Chair, ICC Commission on Commercial Law and Practice (Turkey)
- **Fabio Bortolotti**, Professor, the University of Turin; Partner, Studi Legali Associati Buffa, Bortolotti & Mathis, Turin; Council Member, ICC Institute of World Business Law; Chair, ICC Commission on Commercial Law and Practice (Italy)
- **Filip de Ly**, Professor, Erasmus School of Law, Rotterdam; Council Member, ICC Institute of World Business Law (The Netherlands)
- **Haluk Erdemol**, Member, of the URDG Working Group; Member, ICC Commission on Banking Technique and Practice (Turkey)
- **Jan Ramberg**, Professor LL.D. in Law, Hon. Professor at Riga Graduate School of Law (Latvia)
- **Michael Bühler**, Partner, Jones Day; Co-chair, Task Force on the Revision of ICC Rules of Arbitration (Germany)
- **Paola Michele Patocchi**, Partner, Lenz & Staehelin, Geneva (Switzerland)
- **Turgut Kalpsüz**, Professor, Former Ankara University Faculty of Law Academic; President, ICC Turkey Arbitration Working Group (Turkey)
- **Ziya Akıncı**, Professor, Galatasaray University; Partner, Akıncı Law Office; Member of the ICC International Court of Arbitration (Turkey)

## Registration:

Please complete and return the registration form with the payment receipt by **1 November 2010**.  
Fax: + 90 312 219 4258 E-mail: [icc-tr@tobb.org.tr](mailto:icc-tr@tobb.org.tr)

## Conference Fee

- ICC Members: 750 Euros
- Non-members: 850 Euros

*\*One day registration rate is 400 Euros, please contact ICC Turkey for further details.*

*\*\*The registration fee includes all conference activities including documentation, lunches, dinner on Wednesday evening and Cocktail on Thursday. Travel and hotel expenses are not included.*

*\*\*\*The rates above are the total amount to be paid; the National Committee does not collect VAT.*

**Please transfer the registration fee to:**

TÜRKİYE İŞ BANKASI, AKAY BRANCH  
IBAN: TR 81 00064 0000024 2010 363557  
SWIFT: ISBKTRIS

## Information:

**For all inquiries, please contact Ms. Cirav at ICC Turkish National Committee.**

**Contact Information:** Dumlupınar Bulvarı No:252 (Eskişehir Yolu 9. Km) 06530 ANKARA  
Tel: +90 312 219 4254 (4 lines); + 90 312 218 2092 Fax: +90 312 219 4258  
E-mail: [gulben.cirav@tobb.org.tr](mailto:gulben.cirav@tobb.org.tr) [icc-tr@tobb.org.tr](mailto:icc-tr@tobb.org.tr)

## Cancellation:

50 % of the registration fee will be refunded for cancellations received **before 27 October 2010**. Cancellations must be made in writing. Should you be unable to attend the conference yourself, you may nominate a colleague to take your place.

**Working Language:** English. Interpretation English-Turkish will be available.

## Travel and Accommodation:

We are able to dispatch visa invitation letters to support your visa application only after receipt of your registration form and full payment of your registration fees.

**Below is the list of the Hotels close to the Conference Venue.**

- Hilton ParkSa İstanbul; [http://www1.hilton.com/en\\_US/hi/hotel/ISTPHTW-Hilton-ParkSA-Istanbul/index.do](http://www1.hilton.com/en_US/hi/hotel/ISTPHTW-Hilton-ParkSA-Istanbul/index.do)
- Swissotel İstanbul; <http://www.swissotel.com/EN/Home>
- Sofa Hotel İstanbul (walking distance); <http://www.thesofahotel.com/>
- Bentley İstanbul (walking distance); <http://www.bentley-hotel.com/>
- See also other hotels in the Talimhane district, near Taksim Square

# PROGRAMME

WEDNESDAY, 10 NOVEMBER 2010

## Morning

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09.30 Registration

10.00 Welcome address

### SESSION I - INCOTERMS ® 2010

#### Chairman of the Session:

**Fabio Bortolotti:** Professor, the University of Turin; Partner, Studi Legali Associati Buffa, Bortolotti & Mathis, Turin; Council Member, ICC Institute of World Business Law; Chair, ICC Commission on Commercial Law and Practice (Italy)

10.10 *Introduction to Incoterms ® 2010: drafting process, presentation of the new terms, the major amendments and the main features*

- **Ercüment Erdem**, Professor of Law, Galatasaray University; Partner, Erdem & Erdem; Council Member, ICC Institute of World Business Law; Vice Chair, ICC Commission on Commercial Law and Practice (Turkey)

10.30 *Incoterms in practice: how to use Incoterms? What are the major pitfalls in using the terms?*

- **Jan Ramberg**, Professor LL.D. in Law, Hon. Professor, Riga Graduate School of Law (Latvia)

10.50 *Coffee Break*

11.10 *Incoterms ® rules in ICC Arbitration*

- **Emmanuel Jolivet**, General Counsel, International Court of Arbitration, ICC (France)

11.30 Questions and discussion

12.30 *Lunch*

## Afternoon

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### SESSION II – ICC UNIFORM RULES FOR DEMAND GUARANTEES (URDG 758)

#### Chairman of the Session:

**Ercüment Erdem:** Professor of Law, Galatasaray University; Partner, Erdem & Erdem; Council Member, ICC Institute of World Business Law; Vice Chair, ICC Commission on Commercial Law and Practice (Turkey)

- 14.30 *General presentation of the new ICC Uniform Rules for Demand Guarantees –URDG 758*
- **Christoph Martin Radtke:** Partner, Lamy & Associates; Chair, the URDG Working Group of ICC Commission on Commercial Law and Practice (France)

- 14.50 *The URDG from the exporting industry's point of view*
- **Christian Steinberger:** Legal Counsel, Rechtsanwalt (RA); Head of Legal Services, the German Engineering Federation VDMA (Verband Deutscher Maschinen- und Anlagenbau); Vice Chair, ICC Commission on Commercial Law and Practice (Germany)

15.10 *Coffee Break*

- 15.30 *The URDG from the banking industry's point of view*
- **Haluk Erdemol:** Member of the URDG Working Group of the ICC Banking Commission (Turkey)

15.50 *Questions and discussion*

17.00 *End of the first day*

19.30 *Dinner*

**THURSDAY, 11 NOVEMBER 2010**

**Morning**

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09.30 *Registration*

### **SESSION III – ICC MODEL CONTRACTS**

#### **Chairman of the Session:**

**Christian Steinberger:** Legal Counsel, Rechtsanwalt (RA); Head of Legal Services, the German Engineering Federation VDMA (Verband Deutscher Maschinen- und Anlagenbau); Vice Chair, ICC Commission on Commercial Law and Practice (Germany)

- 10.00 *Presentation of the ICC Commission on Commercial Law and Practice; introduction to ICC Model Contracts*
- **Emily O'Connor:** Senior Policy Manager, ICC Commission on Commercial Law and Practice (France)
  - **Camilla Pagnetti:** Policy Manager, ICC Commission on Commercial Law and Practice (France)

**10.20** How to draft contracts in international commercial practice? Clarifying the issues surrounding international commercial contracts

- **Fabio Bortolotti:** Professor, the University of Turin; Partner, Studi Legali Associati Buffa, Bortolotti & Mathis, Turin Council Member, ICC Institute of World Business Law; Chair, ICC Commission on Commercial Law and Practice (Italy)

**10.40** *Coffee Break*

**11.00** *The role and the importance of ICC Model Contracts in international law*

- **Filip De Ly:** Professor, Erasmus School of Law, Rotterdam; Council Member, ICC Institute of World Business Law (The Netherlands)

**11.20** Questions and discussion

**12.30** *Lunch*

## Afternoon

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### SESSION IV – ICC DISPUTE RESOLUTION SERVICES

#### Chairman of the Session:

**Turgut Kalpsüz:** Professor, Former Ankara University Faculty of Law Academic; President, ICC Turkey Arbitration Working Group (Turkey)

**14.30** *Changes in ICC Arbitration Rules*

- **Michael Bühler,** Partner, Jones Day; Co-chair, Task Force on the Revision of ICC Rules of Arbitration (Germany)

**14.50** *Arbitration Clause: Managing the risk of invalidity*

- **Ziya Akıncı,** Professor, Galatasaray University; Partner, Akıncı Law Office; Member of the ICC International Court of Arbitration (Turkey)

**15.10** *Coffee Break*

**15.30** *Changes in IBA Rules of Evidence*

- **Paola Michele Patocchi,** Partner Lenz & Staehelin, Geneva (Switzerland)

**15.50** Questions and discussion

**17.00** *End of the second day*

**17.30** *Cocktail Reception*