

2020 will be remembered as a sad year for the Institute. In the last issue of this Newsletter, I was sorry to mention that V.V. Veeder had passed away in March. He was unfortunately followed by two other members of our Council, François Perret in June and Piero Bernardini in August. Moreover, one of the founders of the Institute with Professor Lalive in 1979, Professor Giorgio Bernini, died in October. The Institute owes them a great deal.

2020 was also a year of challenges, for obvious reasons. The Pandemic obliged us to adapt our work to virtual communication in order to maintain a close contact with our members and to pursue our activities, in particular in the field of training. Due to the initiative of two Council Members, Jacob Grierson and Carmen Nuñez-Lagos, we engaged in a series of “Meet-up for Institute Members”, where a specific issue is freely discussed among the members of the Institute. The first one took place in September with the theme: 'Save it or kill it? A politically incorrect discussion about production of documents'. As it was to be expected, it gave rise to a lively debate. There will be other “Meet-ups” in 2021, in person hopefully, virtual if impossible. Do not miss them.

Among the other activities reserved to the Institute Members, a Zoom meeting organized in June on 'Arbitration proceedings: lessons learnt during confinement', deserves to be mentioned, while the Annual Colloquium for Institute Members on ‘Alter ego and piercing the corporate veil’ with a stunning presentation by Bernard Hanotiau, and a discussion moderated by Galina Zukova, will remain in the memories as a fabulous success. To be given the exclusive possibility to participate in and contribute to debates of such a quality is one of the privileges which justify becoming an Institute Member.

Training activities continued as usual, but virtually. With the help of the Regional Directors of the ICC International Court of Arbitration, training sessions were organised throughout the world. An Institute Training on Production of Documents took place in July during the online Paris Arbitration, as well as an Institute Training on Oral Advocacy in international arbitration, on the eve of the ICC New York Conference in September. The yearly Institute Training around the ICC Court Miami was maintained in November, dealing with Data Protection and Cybersecurity in Virtual Arbitration Proceedings, an appropriate subject in these unfortunate circumstances.

2020 was also a year of success. I will only mention two examples out of a long list of admirable Achievements: one was the conclusion of the works of the ICC Advanced Arbitration Academy for Asia, a two year training program due to the creativity and the indefectible efforts of Vladimir Khvalei. The other is the Institute Annual Conference of the ICC Institute on Overriding Mandatory Rules and Compliance in International Arbitration, under the co-Presidency of Georges Affaki and Vladimir Khvalei, which took place online on 3 and 4 December 2020, with more than 200 participants from 39

countries. The outstanding quality of the speakers and the high level of the discussions made it a memorable event and leaves no doubt as to the success of the “Dossier” to be published in the coming months.

Last but not least, 2020 was a year of significant changes within the Institute. The last renewable mandate of Kristine Karsten, Richard Kreindler, Laurent Lévy and Julian Lew will expire at the end of the year and David Brown will follow them shortly at the end of March 2021. As members of the Council, each of them played a significant role in the development of the Institute’s activities and they must be thanked for that. They will be progressively replaced and a new member of the Council was already elected at its December session: Mr. José Miguel Júdece, an experienced Portuguese international arbitrator.

But these are not the only changes. After 10 years of mandate, the members of the Presidency of the Institute thought that it was healthful to leave the reins of the organisation to others. Consequently, the two vice-chairs, Antonias Dimolitsa and Eric Schwartz and I will step down on 31 December 2020. We will be replaced by a dream team: Mélida Hodgson and Alan Thambiayah as vice-chairs and Eduardo Silva Romero as chair. Mélida is a US international arbitrator who actively supported the development of the Institute in the Americas and Alan a prominent international arbitrator in Singapore who is instrumental to the development of the Institute’s activities in Asia. Eduardo, a Colombian international arbitrator, is a former Deputy Secretary General of the ICC International Court of Arbitration. He reconciles a huge practical experience of commercial and investment arbitration and a deep analytical understanding of the challenges that international business law will have to overcome in the coming years. The Latin American and Iberian Chapter of the Institute, the first Regional Chapter that he successfully set up, stands as a model for the creation of new Regional Chapters. Eduardo, Alan and Mélida were elected by the Council both in recognition of their past contribution and in light of their vision for the future of the Institute. I have no doubt that with them, the Institute is in very good hands. The same can be said with the designation of Klaus Peter Berger as Chair of our Selection Committee, in replacement of Paul Gelinias, who for years, took the responsibility of screening the many candidacies to the Institute’s membership, with rigor and efficiency.

This is my last column as Chairman in this Newsletter. I do not want to miss this opportunity to express my gratitude to all those who made the Institute’s success possible during these last 10 years. Before all its members and their intellectual contribution. But a particular tribute is due to my two vice-chairs and to all the members of the Council whose dedication to our various activities transformed the Institute into an indispensable tool for the training of practitioners of international arbitration and of business law at large. I want also to thank the Institute Director, Sybille de Rosny-Schwebel for her continuous support as well as Katharine Bernet in the first years of my

mandate and today Giorgia Taurino. But the ultimate recognition must be for Michael Polkinghorne, once bold enough to accept to take the responsibility of this Newsletter, a very heavy task that he is fulfilling strenuously, without losing at any time his sense of humour.