

Education Series

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Arbitra's education series offers various comprehensive sessions designed to provide teams with a structured learning experience from experts in the field of various sectors.

Our sessions can be conducted in-person or virtually, and we offer scheduling flexibility, accommodating morning, lunchtime, or early evening sessions to suit your convenience.

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Alex Wilbraham

Arbitrating mining and natural resource disputes in Latin America

Mining disputes, whether between private parties or investors and States, present a uniquely complex range of issues for arbitral tribunals to resolve. These can include:

- Technical issues involved in planning and building a mine;
- Political and regulatory questions arising from dealing with different governments;
- Environmental and social issues; and
- Complex questions of valuation - often involving projects that have yet to enter production.



Jessica Crow

Carbon Market Dynamics: From Development to Investment Opportunities

Emissions Trading Schemes (ETS) are pivotal in climate action, enabling the trading of emissions allowances to incentivize carbon reduction. They play a vital role in meeting climate commitments by pricing carbon and spurring emission cuts. Additionally, there's rising interest in linking ETS with other markets to boost effectiveness and foster global collaboration in tackling climate change.

- Development of Emissions Trading Schemes
- Linking Carbon Markets
- Regulatory Risks of Carbon Trading
- Emissions Credits as "Investments"

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Brandon Malone

Blockchain and Crypto Currency Disputes

- Blockchain technology and crypto assets and smart contracts
- The impact of smart contracts on dispute resolution
- Resolving blockchain/crypto disputes
- Using blockchain in dispute resolution
- Emerging technologies and the future of arbitration
- Which types of dispute arise in respect of crypto assets?
- How will smart contracts reduce the scope for disputes?
- Can blockchain make arbitration more efficient?
- What do the new technologies mean for traditional arbitration?



Tim Hill

Insolvency in “Team Construction”

Opening and Overview of Consortium

Complex projects call for teams with varied skills and robust financial standing. In response to this, contractors increasingly resort to consortiums. Such consortia are often unincorporated, giving rise to legal and practical problems when a consortium member runs into financial difficulty.

Consortium Agreements and Insolvency

- Consortium agreements typically overlook pre-insolvency scenarios, focusing on formal insolvency. Failure to address pre-insolvency situations can harm the interests of other agreement parties.
- Financially stronger members risk reputation and financial harm when dealing with non-paying parties.

Structural challenges

- Deadlock structures in consortium agreements can exacerbate decision-making challenges, leading to paralysis.
- Multi-tiered dispute resolution provisions can worsen the situation, hindering real-time decision-making needed for project success.
- Remaining parties must strategize to navigate through decision-making paralysis.

Case Analysis

- Reviewing the decision of the Hong Kong Final Court of Appeal in Hsin Chong Construction Co Ltd (in Liquidation) v Build King Construction Ltd [2021] HKCFA 14.

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Dana MacGrath

Maximising the Benefits of Mock Arbitrations

Mock arbitrations serve as a valuable tool for refining hearing presentations and preparing fact witnesses and experts to testify. Dana has served as both a mock arbitrator and counsel in mock arbitrations witnessing their positive impact.

The session will cover the key benefits of mock arbitrations such as:

- Preparing effective opening statements.
- Preparing for fact and expert witnesses examination.
- Refining demonstratives and collaboration between in-house and external counsel.
- Importance of Confidentiality.
- Enhancing Team Unity and Performance.
- Strategic Choices and Optimising Performance.



Todd Weiler

Securing Net Zero Transition: The Imperative of Investment Treaty Protection

Achieving global net zero emissions is crucial to combat climate change, driven by the urgent need to reduce greenhouse gases. However, states face significant financial hurdles in this transition. Overcoming these challenges requires substantial financial commitments and innovative solutions. Despite the obstacles, the imperative for achieving net zero emissions remains clear, demanding concerted efforts and innovative financial strategies to accelerate progress towards a sustainable future.

- The Role of Private Capital
- Challenges to Investment
- Reframing Investment Protection
- Balancing Interests
- Harnessing International Investment Law
- Policy Recommendations

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Dmitri Evseev

Effective and responsible use of AI in legal practice

New AI tools are beginning to transform the practice of law and are being developed faster than most lawyers can keep up. This interactive workshop will provide a primer on the strengths and weaknesses of the current generation of tools and offer a series of best practices for:

- improving reliability and reducing AI "hallucinations",
- guarding against misuses of the technology,
- protecting confidentiality when using AI tools, and
- delivering better outcomes for clients.

Dmitri is co-author of the pioneering SVAMC AI Guidelines for Arbitration, and founder of Arbitration City, a legaltech startup developing AI-powered technology solutions for dispute professionals. He has over a decade of experience in the information technology industry in addition to over twenty years practicing litigation and arbitration at major firms, and is ideally placed to answer the multitude of questions that lawyers have about the opportunities and challenges afforded by generative AI in the workplace.



Russell Thirgood

Tips for Persuading an International Arbitral Tribunal in a Construction Matter

This session focuses on the practical mechanics of persuasive advocacy in construction arbitrations, covering the full lifecycle of a case - from early procedural engagement through to final hearings. Drawing on extensive experience, it explores how to engage effectively with tribunals and opposing counsel, identify strategic opportunities, and present submissions and evidence with clarity and impact.

The session will cover:

- Written correspondence with Tribunal
- Relationships with Counsel for the other Party
- Applications for Relief
- Requesting Documents or Categories of Documents
- Written Submissions
- Preparation and presentation of Evidence
- Oral Advocacy and the Hearing

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Paul Sills

Arbitrating specialist disputes like Fintech – what do you need from your arbitrator?

- Key concepts in distributed technology, blockchain, crypto and smart contracts
- Why arbitration is the right forum for Fintech – the key legal and jurisdictional issues.
- UK Digital Dispute Resolution Rules.
- Specialist or general practitioner?
- Bespoke procedures – how can the arbitrator maximise the effectiveness of the process?
- The enforceability of awards – challenges over novel questions of law.



Elina Mereminskaya

What Persuades Arbitrators in International Construction Arbitration

This session provides a tribunal-side perspective on what truly drives decision-making in complex construction disputes. Focusing on practical advocacy, it explores how to build a clear and coherent case theory, keep the contract at the centre of the dispute, and demonstrate causation in a structured and decision-oriented way. It also addresses the effective use of evidence and experts, and how to present submissions that assist rather than overwhelm the tribunal.

Participants will gain practical insight into how arbitrators assess delay, disruption and quantum claims, and learn how clarity, credibility and disciplined advocacy can materially strengthen the persuasiveness of a case

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Marieke Witkamp

The Decision-Maker's Mindset How Arbitrators and Judges Evaluate Cases

- How tribunals identify the issues that will determine the outcome of a case
- The role of contemporaneous documents in fact-finding
- What arbitrators look for when assessing witness credibility
- How tribunals evaluate competing expert evidence
- What happens during tribunal deliberations
- Practical ways to improve written and oral advocacy before courts and tribunals

This session is relevant to arbitration practitioners, litigators, in-house counsel, and anyone interested in understanding how decision-makers analyse and resolve commercial disputes.



Frank Lattal

Insurance Coverage Arbitrations: Observations & Lessons From Every Chair

This session draws on a unique 360-degree perspective gained from acting as counsel, party representative, in-house executive, witness, expert and arbitrator in major insurance and reinsurance disputes. It explores the key strategic, procedural and advocacy lessons that most often determine success or failure in coverage arbitrations, offering practical guidance on case assessment, settlement, tribunal dynamics, effective advocacy and the distinctive features of insurance arbitration.

Aimed at insurance and reinsurance counsel, claims professionals and arbitrators, this session provides practical insights into the strategic, procedural and advocacy issues that most often determine success in complex coverage arbitrations.

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