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AGENDA

18 January 2022	CEPANI40 Webinar "Meet the expert" episode 2
17 February 2022	CEPANI Lunch debate on Third Party Funding
6-10 March 2022	The royal economic mission to the UK
10 March 2022	CEPANI40-Fieldfisher Seminar "Arbitration in Post M&A Disputes"
22 April 2022	SAVE THE DATE: Joint CEPANI-NAI Colloquium
2-4 June 2022	Co-Chairs' Circle global conference organised by CEPANI40 in Brussels (legitimacy <i>in</i> and <i>of</i> arbitration)
3-4 June 2022	CCC Global Conference

SERIES: *Stories from a Young Arbitrator*

» SIXTH EPISODE, ["DEALING WITH THE COMPLEXITIES OF UNSOPHISTICATION"](#) (BY DR. FAROUK EL-HOSSENY)

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» REPORT ON THE ANNUAL CEPANI CONFERENCE: "WHAT'S ON THE HORIZON?" (BY MARIE DELCOURT)

NEW MEMBERS OF THE CEPANI

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NEWS FROM OUR PARTNERS

SERIES - STORIES FROM A YOUNG ARBITRATOR

With the April edition of the Newsletter, the Editors introduced a new series of short, topical posts written by young arbitrators. The authors will be sharing practical tips and insights from their experience as arbitrators, from dealing with defaulting parties or with non-represented parties to managing multi-language proceedings, from addressing falsified evidence and the interplay between the burden of proof and the standard of proof, to deciding jurisdictional challenges and evaluating the credibility of witnesses.

We hope you will enjoy this new series and, please, do not hesitate to reach out should you wish to participate.

EPISODE 6 - DEALING WITH THE COMPLEXITIES OF UNSOPHISTICATION



Dr. Farouk El-Hosseny*
Senior Associate at Three Crowns, London

Sophistication brings complexity. The more sophisticated the parties, their counsel, the more the arbitration is complex, so is the commonly held view. Complexity is even more pronounced in multi-jurisdictional, international, arbitration, which requires the conciliation – or causes the collision, depending on one's outlook and point of view – of legal cultures and traditions. But does that mean that the less sophisticated the parties, and counsel, the less complex the arbitral process will be? As arbitrator, what I do see is that dealing with unsophisticated parties and counsel can lead to complexities, or perhaps even complications.

In his article the '*Sociology of International Arbitration*' (2015) [31(1) *Arbitration International*, 1, 3], the late Emmanuel Gaillard described international arbitration as a 'social field' involving a 'constellation of actors' sharing a 'common meaning system'. In the often-elitist *monde* of international arbitration, things are done in a certain way, as though by habit. There are social norms of conduct. There are expectations about how things are done. These norms are not necessarily shared outside of that 'system' – to adopt Gaillard's term. And this is often the case in the small matters that young arbitrators tend to be called upon to adjudicate. As I was once told by a mentor, it is the small cases that are often the most difficult, and most complex. That is the reason why they tend to be excellent learning opportunities. And so I will address below some of the lessons I learnt in dealing with the complexities, or complications rather, of unsophistication. These can permeate in various ways, which I can capture through a series of non-exhaustive questions: What to do when a party or their representative is not responding to correspondence either from the other side and/or from the tribunal? What to do with recalcitrant or uncooperative conduct? What to do when procedural orders are not being followed, when deadlines are being missed? What to do when a party or counsel are clearly ignoring or not understanding a provision of the relevant arbitral rules or procedural order? What to do when both parties and counsel are not consulting with each other and incessant complaints are unnecessarily being brought to the attention of the tribunal? What to do when the parties jointly propose a procedural process that is simply unworkable?

The first challenge is to ensure that Procedural Order No. 1 is adequately tailored to the requirements of a given case. A draft should be circulated to the parties for their comment and review. A procedural teleconference should be organised for the arbitrator to explain how the process will unfold, including his/her expectations of the parties, and hear the parties' views. This is the when the arbitrator should inform the parties of his/her expectation that they cooperate and consult in good faith and collaboratively on *all* – and I do emphasise here the term *all* – issues before resorting to him/her for the sake of the good, efficient and expeditious conduct of proceedings.

* The views expressed in this piece are the author's personal views only – not those of his employer

This brings me to the second challenge. It ought not be taken for granted that parties and their counsel necessarily grasp the complexities of arbitral rules, and arbitration as a process more generally. Let us not forget that arbitration is a specialist field, within the specialist discipline of Law. Not all parties, and not all lawyers will be familiar with its intricacies. When dealing with non-specialised parties and counsel, arbitrators ought to educate participants about the process. This can be done by way of a teleconference with the parties. One of the positive consequences of the COVID-19 era is that meetings are now routinely held over Zoom or any other accessible platform. Assembling the parties over a brief procedural teleconference to hear their views on a disputed issue and dispose of it in a reasoned manner – and take the opportunity to explain that decision by reference to the relevant rules – has never been easier. The earlier that is done, the more the process will run in a fluid, efficient and expeditious manner.

The third challenge is to ensure that the parties are adhering with rigour and discipline to the arbitral process. Reasonable, but firm, deadlines are one way of instilling that. However, this can only be done if the arbitrator adopts that rigour and discipline him/her-self. This means that parties' communications should be processed, and receipt acknowledged, swiftly for there to be a tempo to the process.

The last challenge comes from within – it has to do with dealing with arbitrators' due process paranoia. It is now a common thread that court judges manage adjudicative processes and dispose of issues in a more decisive, efficient and expeditious way than arbitrators, so many increasingly argue. I was reminded of this by reading a recent interview of Toby Landau QC in the Global Arbitration Review (*Global Arbitration Review*, “**You would be shocked**”: a fireside chat with Toby Landau, 22 November 2021) where he pointed out that, in court, a judge would not hesitate to let counsel know that a line of questioning in cross-examination is unhelpful; whereas, in arbitration, there is more hesitancy – ‘... nobody has the nerve to say, “Actually, this is not very helpful”’, says Landau.. It ought not be that way. Arbitrators, especially young ones, should not shy away from being decisive as long as they are acting within their jurisdictional and procedural contours which, needless to say, they need to be fully on top of. The key is to ensure that each side has had the right to be heard at each step of the process but that does not mean that one cannot make decisive rulings based on his/her independent view.

And so, to conclude, I do believe that the beauty of the complexity of our discipline is to be found everywhere – in the big and the small matters. This is what makes arbitration so profoundly interesting.

REPORT

ANNUAL CEPANI
CONFERENCE: "WHAT'S ON
THE HORIZON"

25 NOVEMBRE 2021



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Le 25 novembre a eu lieu le colloque du CEPANI « What's on the horizon ». Attendu de longue date, ce premier évènement en présentiel depuis le début de la pandémie a permis à la communauté de l'arbitrage de se retrouver et d'échanger autour des trois panels organisés portant sur (i) le règlement du CEPANI, (ii) la recherche de la vérité en arbitrage et (iii) la digitalisation du processus arbitral.

L'évènement a débuté par un accueil de **M. Dirk De Meulemeester**, (Partner, DMDB Law) et président sortant du CEPANI qui a ensuite laissé la parole à **M. Benoît Kohl** (Partner, Stibbe), président du CEPANI. Ce dernier a souligné les avancées effectuées sous le mandat de M. De Meulemeester et la chance de pouvoir se réunir en présentiel.

Le règlement d'arbitrage du CEPANI

M. Werner Eyskens (Partner, Allen & Overy) a présidé le premier panel, sous un format interactif avec l'audience et portant sur de potentielles modifications au règlement d'arbitrage du CEPANI. L'utilité d'une codification du rôle du secrétaire du tribunal, des audiences virtuelles, du recours à un tiers financeur ainsi que de la détermination rapide des demandes manifestement infondées ont ainsi été examinées.

Tout d'abord, les attributions du secrétaire du tribunal arbitral ont été abordées par **Mme Emma Van Campenhoudt** (Secrétaire général du CEPANI) qui s'est livré à un examen comparatif du rôle du secrétaire dans les principales institutions arbitrales, en soulignant notamment que le secrétaire n'a jamais de pouvoir décisionnel. Malgré ce rôle passif dans la procédure, il est attendu du secrétaire qu'il présente les mêmes garanties d'indépendance et d'impartialité que les arbitres. Après avoir relevé que les attributions du secrétaire ont été définies par plusieurs institutions arbitrales telles que la LCIA ou la SCC, Mme Van Campenhoudt a demandé aux participants si une codification analogue était souhaitable dans le règlement du CEPANI, ce à quoi l'audience a répondu par la négative, privilégiant une plus grande flexibilité.

M. Eyskens a ensuite examiné la problématique des audiences virtuelles, popularisées par la pandémie de Covid-19. Il a plus particulièrement soulevé la question de la modification du règlement du CEPANI pour introduire des dispositions visant à assurer l'égalité des armes lorsqu'une seule des parties a la possibilité de se réunir physiquement en *cluster* durant le déroulement des audiences, ce que l'audience n'a pas considéré nécessaire (toujours dans un souci de plus grande flexibilité). Il a par ailleurs rappelé que la jurisprudence a considéré que la tenue virtuelle des audiences ne constituait pas un grief pour invoquer la nullité d'une sentence.

Mme Stéphanie Davidson (Partner, Leysa) a ensuite discuté du recours à un tiers financeur et des difficultés quant au secret professionnel de l'avocat et aux conflits d'intérêts pouvant en résulter. A cet égard, elle a souligné que le règlement de la CCI prévoit une obligation pour les parties de révéler

l'intervention d'un tiers financeur dans le cadre de la procédure d'arbitrage. L'audience a estimé, à une quasi-unanimité, être favorable à l'introduction d'une disposition analogue dans le règlement du CEPANI.

Enfin, la détermination rapide des demandes manifestement infondées a été considérée par **M. Herman Verbist** (Partner, Everest). Il a évoqué la possibilité de bifurquer entre la sentence sur la responsabilité et celle sur le quantum. La communauté arbitrale présente a admis qu'il était en pratique difficile d'attester à un stade préliminaire si une demande était manifestement sans fondement et a par conséquent rejeté l'idée de codification de ce point dans le règlement du CEPANI.

Keynote speech de M. Koen Geens

M. Koen Geens (député fédéral, Ministre de la justice sortant) a remplacé M. Vincent Van Quickenborne (Ministre de la justice), empêché à cause des mesures sanitaires. M. Geens s'est livré à un exposé historique passionnant sur la place de la justice dans l'Etat belge (notamment par rapport à la santé publique, eu égard à la situation actuelle), rappelant la place essentielle occupée par celle-ci pour le jeune Etat belge au 19^{ème} siècle (comme en témoigne notamment le Palais de justice de Bruxelles et le système carcéral belge, qui était alors montré en exemple jusqu'aux Etats-Unis) et la contrastant avec les problèmes résultant de son sous-financement actuel. M. Geens a également fait part des grands axes de réforme qu'il suggérerait à son successeur.

La recherche de la vérité en arbitrage

Mme Françoise Lefèvre (Partner, Lefèvre Arbitration) a ouvert le second panel en distinguant la vérité scientifique de la vérité judiciaire qui peut être définie comme un jugement normatif dont la preuve est encadrée et réglementée. Elle a ensuite présenté le premier sujet du panel à savoir les témoignages et la fiabilité y afférente. Mme Lefèvre a mentionné un rapport de la CCI (*The Accuracy of Fact Witness Memory in International Arbitration*) qui a établi que la mémoire des témoins peut significativement être altérée par des informations postérieures à l'évènement. Dès lors, elle a conseillé de limiter la preuve par témoignage à ce qui ne peut être prouvé par un autre biais et, dans la mesure du possible, de suivre les conseils de l'étude précitée notamment en ce qui concerne la formulation des questions posées.

M. Benoît Allemeersch (Partner, Quinz) a ensuite exposé les principes de la production de documents dans le contexte des procédures d'arbitrage. En droit belge, il est acquis que le tribunal arbitral dispose d'une grande flexibilité bien que l'écrit reste le moyen de preuve par excellence. Il a également évoqué la possibilité pour une partie de requérir la production d'un document pour autant que celui-ci soit suffisamment spécifié.

M. Maxime Berlingin (Partner, Fieldfisher) a ensuite relevé l'impact de l'intervention de l'expert sur les dommages octroyés. Il s'est également référé au *Queen Mary and PwC Study on Damages Awards in International Commercial Arbitration. A Study of ICC Awards* qui souligne la différence drastique entre l'évaluation du dommage par l'expert du demandeur et par celui du défendeur, le dernier s'élevant à seulement 12% du dommage réclamé par le demandeur. Or, il apparaît que ce décalage ne découle pas du parti pris qu'aurait l'un ou l'autre expert mais bien du libellé des missions confiées et des hypothèses de base soumises aux experts. A cet égard, M. Berlingin a réitéré l'importance que l'expert comprenne exactement le contenu de sa mission.

Ces interventions ont ouvert la voie au dernier sujet de ce panel abordé par **Mme Vanessa Foncke** (Partner, Jones Day) qui a présenté les Règles sur la

conduite efficace de la procédure d'arbitrage international, plus connues sous la dénomination de « Règles de Prague ». Adoptées en décembre 2018, ces règles se présentant comme une alternative civiliste aux Règles de l'IBA confèrent un rôle plus proactif au tribunal arbitral en lui permettant, par exemple de définir une date limite pour la présentation des preuves.

Digitalisation

Le dernier panel du colloque, modéré par **M. Kevin Ongena** (doctorant en arbitrage, UGent) avait pour thème la digitalisation de la procédure arbitrale. **Mme. Claire Morel de Westgaver** (Partner, Bryan Cave Leighton Paisner) a exposé que la technologie est déjà utilisée par certains cabinets d'avocats, par exemple via des algorithmes qui sélectionnent les documents à produire. De son avis, l'intelligence artificielle se développera principalement en ce qui concerne (i) les technologies de détection de mensonges qui pourraient être amenées à remplacer les contre-interrogatoires de témoins et (ii) la réalité virtuelle qui sera utilisée pour les audiences.

Ensuite, **Mme. Kathleen Paisley** (Partner, Ambos Law) a insisté sur le fait que les données personnelles doivent être protégées par toutes les parties prenantes à la procédure arbitrale. En ce qui concerne les arbitrages soumis à une loi européenne, le RGPD est d'ailleurs d'application. D'autre part, elle

a recommandé de mettre en place des procédures qui assurent le respect et la sécurité des données sur les plateformes en ligne de *case management*.

Présentation du « Guide to the CEPANI Arbitration Rules »

M. Olivier Caprasse (Caprasse Arbitration) a conclu la journée en introduisant le « *Guide to the CEPANI Arbitration Rules* » qui se veut une analyse du règlement CEPANI sans rattachement à un système juridique unique. Les auteurs ont procédé à une analyse article par article du règlement en (i) soulignant les changements par rapport à l'ancien règlement, (ii) analysant chaque règle et de ses nuances et (iii) ajoutant une note pratique du secrétariat du CEPANI. Dès lors, le livre se veut un outil à destination de tous les praticiens en répondant aux questions pratiques que peuvent se poser ceux qui s'initient à l'arbitrage mais également en abordant des points plus techniques tels que les questions d'arbitrage multipartites ou encore de consolidation.

Il est certain que ce colloque fut un énorme succès pour le CEPANI. Outre la joie de pouvoir se retrouver, les différents panels ont permis aux 120 participants d'aborder une variété de sujets cruciaux liés au futur de l'arbitrage et de mieux les appréhender.

NEW MEMBERS OF THE CEPANI

MARILY PARALIKA (marily.paralika@fieldfisher.com)

Marily Paralika is an international arbitration partner at Fieldfisher Paris.

She has 15 years' experience in international arbitration and acts as counsel in arbitration proceedings with a focus in the construction, engineering, energy and infrastructure sectors. She also sits as arbitrator.

Marily is a member of the ICC International Court of Arbitration and a member of the ICC Commission on Arbitration and ADR. She is on the Board of the Arbitration Committee of ICC Hellas and on the Board of Paris Arbitration Week.

Marily speaks English, French and Greek.



GISÈLE STEPHENS-CHU (gstephenschu@stephenschu.com)

Gisèle is the founder of Stephens Chu Dispute Resolution, a boutique firm based in Paris.

She has over 16 years' experience in commercial and investment arbitration, counselling corporate and State clients over the whole dispute lifecycle, from pre-contentious advice and risk mitigation, negotiation and mediation, to arbitration and related litigation across a range of industry sectors and jurisdictions. An *Avocate à la Cour* (Paris Bar) and Solicitor-Advocate (E&W), she handles matters under civil or common law systems with equal ease.

Gisèle regularly publishes and lectures on international arbitration and is a Board member of ArbitralWomen. She also accepts arbitrator appointments.



SERGE LEJEUNE (serge@h-3d.be)

Serge Lejeune holds a Law degree from the University of Liège and a Master's degree in Tax Law. He was a lawyer from 1996 to 2002 mainly in corporate, tax and financial law. From 1997 to 2002, he was also "Assistant" at the University of Liège and author in various scientific journals.

Serge left the bar in 2002 to enter the business world. He is currently a shareholder and CEO of the H-3d Group (formerly Horizon 3d), founder and controlling shareholder of the Horizon real estate group from 2004 to 2018. The H-3d Group is active in real estate development and asset management (shareholding and real estate). He also carries out consultancy assignments.

Serge has more than 20 years of experience as a shareholder and manager of various companies: property companies, general construction company, insurance group, business centers ... He was also a real estate agent I.P.I. from 2002 to 2020.



MARC DE BLOCK (mdb@deblocklaw.com)

Marc De Block is the founder of De Block Law Office in Antwerp. Marc De Block has been a member of the Antwerp Bar since 1986, specializing in arbitration and cross-border litigation for national and international clients, as well as governmental organizations. He specializes in all commercial matters.

He has a long-time experience as legal advisor of different arbitration institutions, acting as council in arbitration and all related court proceedings with regard to enforcement/annihilation of arbitration awards, also internationally. Over 34 years of experience have brought him in arbitration proceedings, worldwide, be it the United States, South-Africa, Angola, Dubai, Israel or elsewhere.



GABRIELE RUSCALLA (g.ruscalla@liedekerke.com)

Gabriele is Senior Associate at Liedekerke, with 10 years of experience in international arbitration. Prior to joining Liedekerke, he was Counsel at the ICC International Court of Arbitration.

Gabriele acts as counsel in commercial and investor-State arbitrations under the ICC, ICSID, and UNCITRAL arbitration rules, in the energy, construction, telecommunications, distribution, and pharma sectors.

He regularly speaks at conferences and teaches international arbitration in different universities.

Gabriele got a Ph.D. in International Arbitration from Bocconi University and a Master in Global Business Law and Governance from Université Paris 1 Panthéon-Sorbonne and Columbia Law School. He speaks English, French and Italian.



HILDE DE JONGE (hilde@macphi.com)

Hilde is an accredited mediator in commercial and social matters, independent board director and senior advisor.

She has experience as international business executive in global pharmaceutical corporations (GSK, Roche, Bayer) and private equity owned SME (Pronova Biopharma, Atrium Innovations), as well as in global strategic marketing, in licensing, M&A, and transformational leadership. She furthermore gained operational, finance and people management experience as managing director of cluster of European countries.

Hilde is a Guberna Certified Director.



KOEN VAN DEN BROECK (koen.vandenbroeck@fieldfisher.com)

Koen van den Broeck is a partner at Fieldfisher LLP in Brussels. Koen was admitted to the Brussels Bar in 1987. With over 30 years of litigation and domestic and international arbitration experience, Koen has specialized in commercial and corporate disputes with a particular focus on sales and distribution contracts, product liability, M&A disputes, private equity investments, shareholders disputes, director related disputes, insolvency disputes and construction disputes. Koen regularly acts as arbitrator in CEPANI, ICC, Debelux and ad hoc arbitration proceedings.

Koen is the author of two books on commercial agency. He has also contributed to books on evidence in international arbitration, on confidentiality in arbitration proceedings and on strategy in relation to witness evidence in arbitration proceedings. Koen has published many articles on topics of distribution law.

Koen is consistently identified as one of the leading individuals in dispute resolution in the editions of Chambers and Legal 500. Koen is fluent in Dutch, French and English and has passive knowledge of Spanish.



HELGA VAN PEER-(VanPeerHelga@outlook.com)

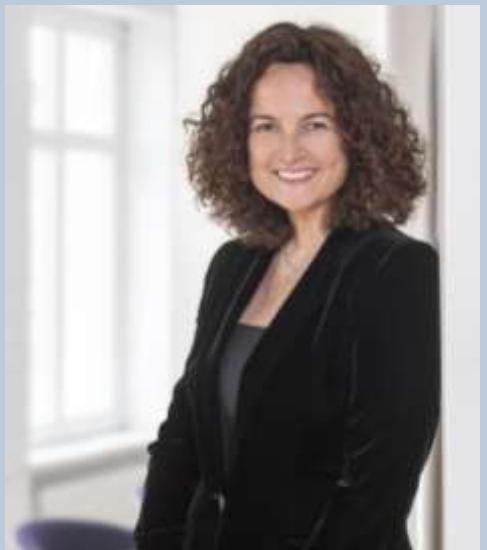
Helga Van Peer is a Brussels based lawyer. With over 25 years of experience, she focuses on national and international transactions often involving both private and public sector entities (contracts, public law, privatisations, public procurement etc.), project finance and Public Private Partnerships (PPP), regulatory, compliance, construction law and international institutions and organisations.

She works with industry, lenders, governments and institutions across sectors such as infra, transport, energy, utilities, defence and life-science. Her experience includes disputes (civil and administrative courts, international bodies). She has acted as arbitrator and expert in ad hoc proceedings. Helga speaks Dutch, English, French, German and Italian.



ARMEL W AISSE (armel.waisse@molitorlegal.lu)

Armel Waisse, a partner at MOLITOR Avocats à la Cour, is admitted to the Luxembourg and the Strasbourg bars. She has a wide litigation practice before judicial and arbitration courts, and advises on disputes relating to contract and corporate law, banking and finance, and insolvency. She is an associate lecturer at the University of Luxembourg on contract law, and lectures on security interests and personal guarantees at the Luxembourg Bar School. She acts as counsel to parties before arbitration tribunals and also provides expert legal opinions for international commercial disputes and arbitration proceedings. She is a member of the board of directors and treasurer of the Luxembourg Arbitration Association and takes part in the Think Tank for the development of Arbitration in Luxembourg



NEWS

» CEPANI40

Due to the current COVID19-situation, the CEPANI40-Fieldfisher Seminar “Arbitration in Post M&A Disputes” that was planned for 15 December 2021 is postponed to **10 March 2022**.

In the meantime, CEPANI40 organizes a second webinar “Meet the expert” on **18 January 2022**.

NEWS FROM OUR PARTNERS

» ACOLAD.

How technology can assist with the e-discovery process

Given the global nature of today's business landscape, multilingual cases are becoming more and more likely as businesses enter new markets and export around the world. This means that when a case comes up, you're likely to find source documents in several different languages, especially at the e-discovery stage.

What's the best approach when you find multilingual electronically stored information (ESI) in your e-discovery files? In this article, we'll cover how advances in translation technology can help to make the process smooth so multilingual ESI doesn't break your stride.

Machine translation

Machine translation (MT) is one of the main tools that can be leveraged in order to save time in the e-discovery translation process. Machine translation engines are trained using translations done by human translators, and can be generic or specialize in a specific area of expertise, for example, law. This is useful because words can have different meanings depending on the context in which they are used – for example, “case” has different meanings for a shipping company or for a law firm. By training the engine using legal content, it will produce **translations that fit the legal sector**. It's even possible to train a company-specific translation engine, and this is a wise choice when the terminology used within an organization is highly specific.

While machine translation is often useful for quickly understanding the gist of a document, it can be used in conjunction with a human translator to offer a higher-quality end result. There are two levels of **post-editing available**, machine translation with light post-editing and machine translation with full post-editing. Let's take a look at both.

Machine translation with light post-editing is when human translators make minor edits to a machine-translated text. With this option, you receive an understandable translation, but not one that is stylistically perfect.

Machine translation with full post-editing includes a full proofreading of the machine translation output by a human translator. They go beyond grammatical edits and ensure that the tone and style are appropriate and suit the context of the translation. This option is comparable to a translation performed by a human translator and is recommended for documents which will be used externally.

In the context of e-discovery, both of these options are faster than the traditional translation process and can help ensure that you receive your documents back as quickly as possible. They can also help to optimize costs, and often generate significant cost savings.

Translation memories

Translation memories are another technology that can come in handy during the e-discovery phase. A **translation memory (TM)** is a database which contains previously translated content that can be re-used for future translations. Translation memories are built for a specific customer, and they ensure translation consistency by using the same terminology each time. The more you use a translation memory, the stronger it becomes, as it will include more words and text segments that have already been translated. A TM looks for matches between content that has been previously translated and the document that is being translated, and reuses content where possible. These previously translated text segments are then suggested to translators.



How does using a translation memory benefit you? One of the primary benefits is efficiency. Using a TM means that a translator only has to translate a word once, which is especially useful in documents with repetitive content. Another key benefit is consistency – the translation memory will remember your preferred terminology. This way, even if several different translators work on your documents for a given case, the translations will have a high degree of consistency. Finally, cost savings are another key benefit that translation memories can offer. In the long run, using a translation memory can result in substantial savings, and in our experience, translation memories can result in savings of around 20% for financial and legal content. This can really add up, especially used in conjunction with other translation technologies. To bring us back to the context of e-discovery, translation memories can help you get your documents back faster and ensure they are highly consistent, which is essential in the legal field.

Conclusion

Advances in translation technology can ensure a smoother translation process for any multilingual ESI documents you come across in the e-discovery process. When speaking with your translation partner, consider asking about how machine translation or translation memories could be implemented in your project, as they can offer huge time and cost savings for you. If you're interested in discussing translation technologies for the legal sector, [our team of legal translation experts is always ready to chat!](#)

Wolters Kluwer launches data-driven enhancements to Arbitrator Tool and new topics in Practical Insights within Kluwer Arbitration Practice Plus

Kluwer Arbitration Practice Plus (KAPP) is the solution for arbitration practitioners to deliver actionable guidance, mitigate risk and optimize case strategy in the arbitration process.

We are proud to introduce the enhanced Arbitrator Tool and a new Relationship Assessment Tool within Kluwer Arbitration Practice Plus. Integrating artificial intelligence and machine learning with Wolters Kluwer's arbitration expertise, the new features will provide arbitration professionals with valuable insights to assess arbitrators, properly advise their clients, and increase their rate of success.

Also the number of topics in the Practical Insights module, currently 32, is growing rapidly. This module provides a concise, step-by-step guide to the most pressing and challenging issues in the international arbitration process, from Interim Measures to Enforcement of Arbitration Agreements.

Learn more about Kluwer Arbitration Practice Plus



Practical Insights

Interim Measures

Multi-Party Arbitration

Early Stages of the Proceedings

Organization of the Proceedings

Conduct of the Proceedings

Evidence

Damages

Awards

Ccosts

Enforcement of Awards

Enforcement of Arbitration Agreements

Intergovernmental & Corruption

Interim Measures	
Topic	Contributor
1 Anti-arbitration injunctions	Chris Balog & Milena Matović
2 Anti-set-off injunctions	Chris Balog & Milena Matović
3 Emergency Arbitrator Proceedings	Andrea de Letona & Anne McGeough, Paola Reina & Silvia Siles
4 Enforcement of Interim Measures	James McBride & Wilson Argent
5 Interim or Conservatory Measures	Mihaela Popescu & Diego Galván
6 Security for Costs	Garrison Ford



Wolters Kluwer offers end of year discount on arbitration titles

To celebrate our partnership Wolters Kluwer would like to offer CEPANI members an exclusive discount on ALL Kluwer Law International book publications.

The bespoke promotional code '[CEPANI2021EOY](#)' shall apply a **30% discount on any order*** from the International market segment of our [eStore](#) and is valid until December 31st 2021.

There have been many new and important Arbitration publications this year. Here are some of our latest highlights to inspire you:

New & Popular

- Arbitrating under the 2020 LCIA Rules: A User's Guide
- International Commercial Arbitration, Third Edition
- International Arbitration and Forum Selection Agreements, Drafting and Enforcing, Sixth Edition
- Arbitration in Africa: A Practitioner's Guide, Second Edition
- Managing 'Belt and Road' Business Disputes: A Case Study of Legal Problems and Solutions
- International Construction Arbitration Law, Third Edition
- EU Cross-Border Commercial Mediation: Listening to Disputants - Changing the Frame; Framing the Changes
- Arbitration in India
- International Investment Protection of Global Banking and Finance: Legal Principles and Arbitral Practice

Forthcoming (Expected December 2021)

- Collection of ICC Arbitral Awards 2016-2020
- Moral Damages under International Investment Law: The Path Towards Convergence
- The Bona Fide Investor: Corporate Nationality and Treaty Shopping in Investment Treaty Law
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