

## ICC Webinar ‘Avoiding and resolving construction disputes in the energy sector’

*Wednesday 17 November 2021, 15.00- 17.30 hrs., online.*

More and more, stakeholders in fast-paced, competitive energy markets find that better and quicker decisions are increasingly crucial—qualities that burdensome litigation and other adversarial processes often fail to provide. Due to their cross-border and often confidential nature alternative dispute resolutions are preferred over litigation in public courts. In addition, because of the relatively few players in this sector, maintaining a professional but amicable relationship is crucial. Contracts in the energy sector regularly contain multi-tiered dispute resolution clauses, as is the case in FIDIC model contracts and ICC model contracts. These clauses aim to avoid disputes or to resolve them at an early stage.

During this webinar, on the basis of disputes in the energy sector, various methods of dispute resolution are discussed. The experts will provide insight into the dispute avoidance and resolution mechanisms, often adopted in the energy and construction sectors. What do you gain with a multi-tier approach such as dispute boards, mediation, arbitration and litigation? Attention will be given to the various preliminary tiers, including decisions of dispute boards and an amicable settlement period. How can dispute boards facilitate the construction process and how can they reduce the risks of disputes? This webinar offers practical advice for energy industry participants who wish to benefit from fresh approaches for conflict resolution and difficult decision making.

### Learning goals

- Learn how creative dispute resolutions improve the information flow between parties thereby minimizing the risk of escalation of the dispute
- Hear how to reach objectives that are not available through traditional litigation
- Gain insight how dispute boards facilitate the construction process and how they reduce the risks of disputes
- Acquire understanding how greater control over the outcome of the dispute can be achieved
- Benefit from the analysis of actual cases and real life examples from the energy sector

### Speakers

- Kai-Uwe Karl, Global Chief Litigation Counsel, GE Renewable Energy, London
- Friederike Schäfer, Counsel of the ICC International Court of Arbitration, Paris
- Arent van Wassenaer, Founder of The Faithful Goose and writer of ‘A practical guide to successful construction projects,’ The Hague
- Stan Putter, Lawyer/ Partner Smallegange N.V., Rotterdam
- Cyril Dumoulin, Senior Legal Counsel Global Litigation, Shell International, Member of the Board of Directors International Mediation Institute, The Hague (*moderator*)

## **Preliminary programme**

- 14.45 **Online platform opens**
- 15.00 **Welcome and introduction**  
*By Marijke Wolfs, Secretary General, ICC Netherlands*
- 15.10 **Characteristics of energy related conflicts in ICC Arbitration and ADR mechanisms**  
*By Friederike Schäfer*
- 15.30 **Multi-tier dispute resolution clauses**  
*By Stan Putter*
- 15.50 **Break**
- 16.00 **Best and worst practices in avoiding and solving conflicts**  
*By Arent van Wassenauer*
- 16.30 **A business perspective on how to resolve complex energy disputes**  
*By Kai-Uwe Karl*
- 17.00 **Panel discussion and Q & A**  
*By entire panel, moderated by Cyril Dumoulin*
- 17.30 **Conclusion**

## **Target Audience**

CFO's, in-house counsel, legal and compliance officers, contract-, project- and claim managers who work for energy projects, specialists in the field of energy arbitration and all professionals involved in the energy and construction sectors.

## **PO-Point**

After the webinar it is possible for Dutch attorneys to request a certificate of participation in order to receive a 'PO-point.' Upon receiving a passing grade for a short quiz you will receive the certificate. This is conform the requirements by the Dutch BAR, the NOVA. Click [here](#) to read more about this subject. To request the quiz, please send an e-mail message to [icc@info.nl](mailto:icc@info.nl).

## **Registration**

ICC members: EUR 250,- (excluding VAT/BTW)

non-ICC members EUR 450,- (excluding VAT/BTW)

Participants need to pay in full by Friday 12 November 2021.

Registration for this paid webinar is mandatory. Please note that registration will close on Friday 12 November 2021, end of day. The cancellation of participation must be in writing and is possible free of charge up to Friday 12 November 2021. In case of no-show or cancellation on Friday 12 November 2021 or later, the entire webinar price plus VAT/ BTW is due. For questions please send an e-mail message to Pip N. Smits: [smits@icc.nl](mailto:smits@icc.nl)