

---

**This Newsletter offers a valuable insight on the arbitration news for the months of November 2017 to January 2018.**

---

## LEGAL NEWS

---

### **When *civil law* countries recognize punitive damages**

---

On 5 July 2017, the Italian Court of Cassation, as the French Court of Cassation in December 2010, affirmed that punitive damages are not contrary to international public order. Punitive damages are defined as “the costs that are awarded to a person due to negligence that has caused personal injury or damage to personal property. [...]

[\*The article is available here\*](#)

---

### **Enforcement of arbitral awards: Creditors, don't wait too long!**

---

Most of the time, arbitral awards are enforced spontaneously by the losing party. When the party refuses, it is then necessary to initiate an enforcement procedure before national jurisdictions. In France, the enforcement procedure is rather simple: the winning party will notify the award and request enforcement before the *Tribunal de Grande Instance* sitting as [...]

[\*The article is available here\*](#)

---

### **The LCIA updates its guidelines « *Notes for Arbitrators* » on the issue of the Arbitral Tribunal Secretary**

---

Following the recent debates on the role of the Secretary of the Arbitral Tribunal, and in particular after the decision of the English High Court of Justice, dated 9 February 2017 (see our previous post here), on 26 October 2017, the LCIA revised its “Notes for Arbitrators” on the use of tribunal secretaries. The main purpose of this revision is to ensure communication between the Arbitral Tribunal and the parties, and to protect the parties’ consent as to the different aspects of the Secretary’s role [...]

[\*The article is available here\*](#)

## EVENTS

---

### **After-work training by the AFA «Cross-examination of witnesses»: *Quand la common law s'invite chez les civilistes* – Paris, le 29 janvier 2018**

---

Caroline Duclercq will intervene on 29th January 2018 in the new after-work training organized by the Association For Arbitration, “Cross-examination of witnesses”: when common law visits civil law practice. This training will be held at the *Maison du Barreau* in Paris: “If English and American lawyers are usually trained to cross-examination and some practice it almost daily before [...]

[The article is available here](#)

---

### **A new associate joins the arbitration team**

---

ALTANA’s arbitration team is pleased to welcome a new associate, Talel Aronowicz. Talel joined the firm in 2017. She holds a Master 2 in International and European Business Law (Université Paris Dauphine) and an L.L.M. in International and Comparative Dispute Resolution (Queen Mary, University of London). She speaks French and English. We welcome her in [...]

[The article is available here](#)

---

### **Symposium in Casablanca: Investment in Africa and legal certainty: the 30 main strategic issues**

---

Caroline Duclercq intervened on 14 December 2017, in Casablanca, on the topic « Enforcement of awards in Morocco and Africa » during the annual Symposium organized by Lexis Nexis on “Investments in Africa and Legal Certainty- the 30 main strategic issues”.

The program is available [here](#)

---

### **Conference : “Navigating through common law and civil law waters in international arbitration: young perspectives from Europe and the Americas”, Paris, 6 December 2017**

---

Caroline Duclercq participated in a panel on the topic “Overcoming procedural conflicts in international arbitration” during the conference “Navigating through Common Law and Civil Law waters in International Arbitration: Young Perspectives from Europe and the Americas” organized by CI Arb YMG in Paris on 6 December 2017.

The program is available [here](#)



## PUBLICATIONS

---

### **Report of the roundtable « Wake-up (with) Arbitration! » of 14 December 2017: « The accelerated arbitration procedure: "The Fast and the Furious" ? »**

---

As we had announced, Caroline Duclercq has hosted, along with Valence Borgia and Maria Beatriz Burghetto, a roundtable “Wake up (with) Arbitration!” on 14 December 2017, on the topic “The Accelerated Arbitration Procedure: “The Fast and the Furious”?” The report is now available here. The “Wake up (with) Arbitration!” breakfast /roundtables 2018 program will soon be [...]



[\*The article is available here\*](#)

---

### **Report on the conference: « Arbitration, a development channel for economic operators in the African-Indian Ocean zone », Réunion, 30 November – 1 December 2017**

---

Caroline Duclercq intervened on the topic “The pros of choosing French law arbitration” in the context of the international conference

“Arbitration, a development channel for economic operators in the African – Indian Ocean zone” that took place in Réunion Island, on 30 November and 1 December 2017, organized by the Centre de médiation et arbitrage de La Réunion (CMAR) [...]



[\*The article is available here\*](#)

---

### **Publication of an article « English court rules on the extent and limits of the role of the Secretary of the Arbitral Tribunal »**

---

Caroline Duclercq and Violette Savine Tronel have published an article entitled “English Court Rules on the Extent and Limits of the Role of the Secretary of the Arbitral Tribunal” in Arbitraje (Revista de arbitraje comercial y de inversiones) », vol. X, n°2, 2017, pp. 559–566. It is available [here](#).