

WORKING CONFERENCE ON CONCILIATION

What is it and when to use it

17–18 January 2017 | Invitation only
Chatham House rule applies



PROGRAMME

DAY 1

13.30–14.00	Arrival & Welcome
14.00–15.00	Opening: What is conciliation?
Lucy Reed	<ul style="list-style-type: none">• History and comparative overview of conciliation, good offices, mediation, and fact-finding• Introduction to conciliation• Current trends in conciliation and ADR methods
15.00–16.00	First discussion topic: Comparing conciliation models: ICSID and UNCLOS [Part 1]
Robert Beckman	<ul style="list-style-type: none">• UNCLOS conciliation<ul style="list-style-type: none">○ Drafting history○ Compulsory or voluntary nature○ Procedures○ Timor-Leste / Australia conciliation
16.00-16.30	Break
16.30–17.30	Second discussion topic: Comparing conciliation models: ICSID and UNCLOS [Part 2]
J Christopher Thomas QC	<ul style="list-style-type: none">• ICSID conciliation<ul style="list-style-type: none">○ Drafting history○ Compulsory or voluntary nature○ Procedures
J Christopher Thomas QC & Robert Beckman	<ul style="list-style-type: none">• Comparing the different conciliation models<ul style="list-style-type: none">○ Key procedural differences○ Outcome of conciliation procedures○ Subject matter of conciliation
18.00-19.30	Evening Reception

DAY 2

10.00-10.30 Morning Coffee/ Snacks

10.30–12.00 **Third discussion topic: What can conciliation learn from other forms of ADR? [Part 1]**

Nicholas Lingard

- **Negotiation**
 - The negotiation process
 - Skills required in negotiation
 - Applicability to conciliation

Tan Ai Leen

- **Arbitration**
 - The arbitration process
 - Skills required in arbitration
 - Applicability to conciliation

Dorcas Quek

- **Neutral Evaluation**
 - The neutral evaluation process
 - Skills required in neutral evaluation
 - Applicability to conciliation

12.00–12.15 Break

12.15–13.15 **Third discussion topic: What can conciliation learn from other forms of ADR? [Part 2]**

Alvin Yap

- **Inter-state Mediation**
 - The inter-state mediation process
 - Skills required in inter-state mediation
 - Applicability to conciliation

Deborah Hart

- **Comparison of the skills required in different ADR methods**
 - The nuts and bolts of each process: How different are the procedures?
 - What is the rationale for different procedures?
 - Which processes and skills are applicable to conciliation?

13.15–14.15 Lunch

14.15–15.45 **Fourth discussion topic: The future of conciliation**

Sarah Grimmer

- **Institutional administration of conciliation proceedings**
 - What is the experience of institutions in administering conciliation?
 - Can institutional support be useful?

Daphne Hong

- **Options for international dispute settlement**
 - What value can conciliation add to international dispute settlement?

- What barriers to settlement are most common?
- What steps can be taken to encourage the use of conciliation?

Petra Butler

- **The small state perspective**
 - The experience of small states with conciliation/mediation
 - What are some unique challenges faced by small states when it comes to dispute settlement?
 - How might conciliation help overcome those challenges?

15.45-16.15

Break-out session

Lucy Reed

How can we explore when conciliation could be a useful method of international dispute settlement?

16.15–16.45

Break

16.45–17.30

Work plan: Discussion on ways to move forward

Lucy Reed

- Potential research collaborations
- Topics for further discussion
- Planning sessions for ADR Conference in 2017
- Identifying other contributors to the project