

Conference organized within the framework
of the Paris Arbitration Week

CIVIL LAW/COMMON LAW IN INTERNATIONAL ARBITRATION

In person and online conference - Conférence en présence et en ligne

Wednesday 9 April 2025, 5pm - 8pm
Mercredi 9 avril 2025 de 17h00 à 20h00

Société de législation comparée, Amphithéâtre (1^{er} étage)
28 rue Saint-Guillaume
75007 Paris

The event is open to all, registration is free but mandatory.

To register, please email: emmanuelle.bouvier@legiscompare.com

Details on how to join remotely will be sent prior to the event.

*La conférence est gratuite et accessible à tous, avec inscription préalable obligatoire auprès de Madame Emmanuelle Bouvier avant le **7 avril 2025** : emmanuelle.bouvier@legiscompare.com*

Un lien de connexion sera transmis après inscription.

The Société de Législation Comparée (SLC), Society of Comparative Law welcomes new members. To join SLC, click on the following [link](#)

Si vous souhaitez adhérer à la Société de législation comparée, vous pouvez télécharger le bulletin d'adhésion sur notre site internet : legiscompare.fr

Questions and contributions to the debate may be in French or English.

Les participants pourront poser leurs questions et contribuer aux débats en français ou en anglais.

PROGRAMME

4.45pm : Welcoming and/or Connecting. *Accueil et/ou Connexion*

5pm : Welcome address. *Mots de bienvenue*

François Molinié, Barrister at the Conseil d'État and the Cour de cassation, former President of the French Bar Association, President of the Société de législation comparée
Avocat au Conseil d'État et à la Cour de cassation, Président de la Société de législation comparée, ancien président de l'Ordre

5.05 : Introductory remarks. *Propos introductifs*

Béatrice Castellane, Independent Arbitrator, Former Member of the Council of the Paris Bar, President of the Section Arbitration & ADR Society of Comparative Law (SLC), Director of the Franco-British Lawyers Society (FBLS)

Arbitre international et Ancien Membre du Conseil de l'Ordre des avocats de Paris, Présidente de la Section Arbitrage & ADR de la Société de législation comparée (SLC), Administrateur de l'Association des Juristes Franco-Britanniques (AJFB)

Presentations :

5.10 Civil Law/Common Law: How the combined influence of civil and common law improves both the process and advocacy in international arbitration. *Droit civil/common law : Comment l'influence combinée du droit civil et de la common law améliore à la fois la procédure et les plaidoiries dans l'arbitrage international.*

Antonio Crivellaro, Former Professor of International Law and International Trade Law, Founder of the International Arbitration Practice at BonelliErede, appointed by Italy in ICSID list of Arbitrators

Ancien professeur de droit international et de droit commercial international, fondateur du département d'arbitrage international au cabinet BonelliErede, nommé par l'Italie sur la liste des arbitres du CIRDI

5.30 Force majeure in international supply agreements: Civil Law/Common Law perspectives. *Le concept de force majeure dans les contrats internationaux d'approvisionnement : comparaison des approches du droit civil et de la common law*

Ruchdi Maalouf, Independent Arbitrator, solicitor (England & Wales, Ireland), former executive in the LNG industry

Arbitre indépendant, Avocat inscrit en Angleterre et en Irlande, ancien dirigeant dans l'industrie du GNL

5.45 "Good faith" in construction projects and related disputes: Civil Law/Common Law perspectives. *Le principe de bonne foi dans les projets de construction et les litiges y afférents : regards croisés en droit civil/ common law*

Anne-Sophie Goapper, Partner at Aliénor Avocats, dual-qualified lawyer (French avocat/ English solicitor). Co-President of SCL France

Avocat associé Aliénor Avocats & Solicitor anglais. Co-Présidente de SCL France

Modératrice :

Nayla Comair Obeid, Founding Partner Obeid & Partners, Associé fondateur Obeid & Partners

6.00 : Q&A / Débat

6.45 : Drinks / Verre de l'amitié

8pm exactly : End (building closure)



François Molinié

Avocat au Conseil d'État et à la Cour de cassation depuis 2005, il exerce au sein du cabinet Piwnica et Molinié. Parallèlement à son activité professionnelle, il effectue de nombreuses missions pour l'Ordre des avocats au Conseil d'État et à la Cour de cassation. Il est, notamment, membre du bureau d'aide juridictionnelle de la Cour de cassation (2006-2012), chargé d'enseignements de l'Institut de formation et de recherche des avocats aux conseils - Ifrac (2012-2016) et délégué pour la mise en place de la dématérialisation des procédures devant le Conseil d'État et la Cour de cassation ainsi que l'Open data judiciaire (2006-2016). Ancien membre du Conseil de l'Ordre, il a exercé les fonctions de président de l'Ordre entre 2021 et 2023.

Depuis 2024, François Molinié est également président de la Société de législation comparée et vice-président du Comité de liaison des institutions ordinales (CLIO).

***François Molinié.** Barrister at the Conseil d'État and the Cour de cassation since 2005, he practices with Piwnica & Molinié. In addition to his professional activities, he carries out numerous assignments for the Ordre des avocats au Conseil d'État et à la Cour de cassation. In particular, he is a member of the legal aid office of the Cour de cassation (2006-2012), a lecturer at the Institut de formation et de recherche des avocats aux conseils - Ifrac (2012-2016) and a delegate for the implementation of the dematerialisation of proceedings before the Conseil d'État and the Cour de cassation as well as judicial Open Data (2006-2016). A former member of the Conseil de l'Ordre, he was President of the Ordre between 2021 and 2023.*

Since 2024, François Molinié has also been President of the Société de législation comparée and Vice-President of the Comité de liaison des institutions ordinales (CLIO).



Béatrice Castellane est arbitre indépendant et ancien membre du Conseil de l'Ordre des Avocats de Paris (2004-2007). Conseil de sociétés françaises et étrangères, elle est intervenue en qualité de conseil ou d'arbitre dans de nombreuses affaires principalement commerciales et d'investissement dans les domaines suivants : industrie, matières premières et minières, distribution, construction, télécommunications, énergie, transport aérien, questions maritimes, agriculture, entreprise, litiges entre actionnaires, négoce d'une manière générale, litiges d'investissement. Agissant, depuis 2008, en qualité d'arbitre international dans des cas impliquant des parties en Afrique, en Europe, en Asie et aux Etats-Unis, elle fait partie de plusieurs panels d'arbitres (y compris ICC, AFA, OHADA CCJA, ASA, CEPANI, DELOS, AFA, KLRCA, CRCICA et HKIAC) et intervient dans des arbitrages ad hoc en particulier sous les règles de la CNUDCI. Elle est

Présidente de la Section Arbitrage ADR de la Société de Législation Comparée et administrateur de la Franco-British Lawyers Society. Au 31 décembre 2023, elle a été arbitre ou conseil dans plus de 100 dossiers dont 22 arbitrages internationaux dans lesquels elle a été arbitre unique ou présidente. À cette même date, elle connaît 67 pays (sur 6 continents) dans un cadre professionnel ou personnel. Elle est auteur de nombreuses publications <https://castellane-arbitration.com/index.php/publications/>

***Béatrice Castellane** is an independent arbitrator in business and investment cases. Former elected Member of the Paris Bar Council (2004-2007), Béatrice has acted as Counsel or Arbitrator in numerous cases relating to : Industrial matters, Mining and raw materials, Commercial distribution, Construction, Telecommunications, Energy, Aeronautics, Maritime matters, Agriculture, Corporate, Stakeholders disputes, General trade, Investment disputes. Since 2008, she acts as an international arbitrator in cases involving parties in Europe, Africa, Asia and the United States. She is a member of several panels of arbitrators (including ICC, OHADA CCJA, ASA, CEPANI, AFA, DELOS, KLRCA, CRCICA and HKIAC) and also arbitrates in ad hoc arbitrations in particular under the UNCITRAL rules. As of 31 December 2023, she has acted in over 100 cases, including 20 international arbitrations as sole arbitrator or president of the arbitral tribunal. As of the same date, she knows 67 countries (on 6 continents) in a professional or personal context. Béatrice is Chair of the ADR Arbitration Section of the Société de Législation comparée SLC (Society of comparative law) and Director of the Franco-British Lawyers Society. She has released numerous articles:*

<https://castellane-arbitration.com/index.php/en/home-page-en/>

**Nayla Comair- Obeid**

Founding Partner, Obeid & Partners, Dubai, Paris & Beirut

Professor Dr Comair-Obeid is the founding partner of Obeid & Partners and heads the firm's dispute resolution practice since 1987. She is an Associate Member at 3VB Barristers Chambers in London, and member of the Beirut Bar and the Paris Bar.

Prof Comair-Obeid has been identified amongst the world's foremost arbitrator practitioners by internationally renowned legal publications, referring to her as "grand dame of Middle East arbitration", "legendary lawyer" who is "really prepared, knows the issues and gets it right".

She has been actively involved in more than 170 domestic and international investment and complex commercial arbitrations as a party appointed arbitrator, chairperson, sole arbitrator, counsel and expert in Arabic, French and English-language. She has been engaged in mega construction projects in the MENA and have developed an expertise and knowledge of complex construction disputes in the region. She regularly deals with contracts based on FIDIC forms of contract with Sharia law influences and has extensive knowledge in the legal principles of the applicable substantive law in the MENA region. Through her comparative legal expertise and technical skills, she performed with professional excellence and gained the reputation of a specialist in this industry. She has been identified Arbitrator Intelligence's Presiding Arbitrator of the Year for 2020.

Throughout her career, Professor Comair-Obeid has held and continues to hold pre-eminent positions in many of the major institutions. She is the former Vice Chair of the ICC and has been a member ICC Executive Board since 2019. She is a member of the International Council for Commercial Arbitration (ICCA) Governing Board. Additionally, Professor Comair-Obeid is currently a trustee of the Cairo Regional Center for International Commercial Arbitration. She is a Board Member of Women's Leadership Board of the Women and Public Policy Program (WAPPP) at the Harvard Kennedy School, amongst others. She is former president of the CIArb (2017) and former Vice Chair of the arbitration committee in the International Bar Association.

Professor Dr Comair-Obeid publishes prolifically and is regularly invited to lecture at world renowned academic institutions where her articles and scholarly publications are often cited as reference works.

Professor Comair-Obeid is also a Professor of private law and international arbitration at the Lebanese University, visiting Professor at University Panthéon-Assas Paris II, and lecturer at University of Oxford for the CIArb International Commercial Arbitration Diploma.



Antonio Crivellaro is a former Professor of International Law and International Trade Law. He founded the International Arbitration Practice at BonelliErede. He has extensive experience (almost 350 cases) in international (commercial and investment) arbitration as either counsel, or arbitrator, or chairman under the auspices of ICC; ICSID; LCIA; Permanent Court of Arbitration-PCA; Stockholm Arbitration Institute; Cairo Centre; Vienna Arbitration Center-VIAC; FED (arbitrations for projects financed by the EU); Bangkok Centre; Milan Chamber; Dubai-DIAC Arbitration Centre, Bahrain Arbitration Chamber, and ad hoc proceedings.

Recommended as "Leading" international arbitrator in cases concerning investment, construction and energy by Chambers and other Dispute Resolution sources worldwide. His area of expertise includes disputes arising from contracts for gas and oil projects, works and concessions, industrial plants, supplies and sales, financing and banking operations, telecommunications, and post-closing M&A disputes.

Currently Emeritus Member of the Council of the ICC Institute of World Business Law, after 25 years of effective membership. Appointed by Italy as Member of the ICSID List of Arbitrators. Italian correspondent of the Institut de l'Arbitrage International (IAI) Paris and Italian Fellow of the IACL – International Academy of Construction Lawyers. Author of several publications in the law of international investment, contracts, and arbitration. Editor in Chief of The Law of International Trade.



Ruchdi Maalouf est un arbitre indépendant et avocat inscrit en Angleterre et en Irlande. Il a suivi des études de droit à Paris, Louvain et Londres. Il est expert du GNL (gaz naturel liquéfié), de l'énergie, des matières premières et des infrastructures, domaines dans lesquels il a une expérience pratique à la fois juridique et commerciale.

Ruchdi a débuté sa carrière dans l'arbitrage en 2001 auprès du professeur Ibrahim Fadlallah. En 2006, il a rejoint Herbert Smith à Londres où il a été formé comme solicitor.

Jusqu'en 2023, il a travaillé dans le secteur de l'énergie, en cabinet et en entreprise, mais aussi dans des fonctions commerciales et enfin de direction (dans le GNL). En 2022-2023, il était à la tête de la filiale singapourienne de Korea Gas Corporation (le plus grand acheteur de GNL au monde).

Ruchdi Maalouf est membre d'ICC-Lebanon et de la LCIA, supporting member de la LMAA et fait partie des panels de CCI France, CCI Liban, DIAC, ArbitrateAD, SIAC et BICAM. Il travaille actuellement sur plusieurs dossiers d'arbitrages dont le siège est en Europe et au Moyen-Orient.

Ruchdi est de nationalité française et libanaise. Il a travaillé en France, en Angleterre, à Singapour, en Russie, au Japon, en Thaïlande et en Corée du Sud.

***Ruchdi Maalouf** is an independent arbitrator qualified in England & Wales and Ireland. Educated in civil law and common law, he has a comprehensive expertise and practical experience in LNG (liquefied natural gas), energy, natural resources, commodities and infrastructure.*

Ruchdi started his legal career in arbitration with Professor Ibrahim Fadlallah in 2001. Under his mentorship, he was involved in tribunal work from his early professional days. He joined Herbert Smith in London in 2006 where he trained as a solicitor.

Until 2023, he pursued a career in the energy industry, in private practice and in-house, and later in commercial and management roles in LNG. In 2022-2023, he was the head of the Singapore subsidiary of Korea Gas Corporation (the largest LNG buyer globally).

Ruchdi Maalouf is a member of ICC-Lebanon and the LCIA, a supporting member of the LMAA, and included in the panels of ICC France, ICC-Lebanon, DIAC, ArbitrateAD, SIAC, and BICAM. He is currently involved in several cases seated in Europe and the Middle-East.

He is a French and Lebanese national. He has lived and worked in France, England, Singapore, Russia, Japan, Thailand and South Korea.



Anne-Sophie Goapper est associée au sein du cabinet français Aliénor Avocats, structure de niche spécialisée dans les grands projets de construction. Anne-Sophie possède une double qualification (avocat français/ solicitor anglais) et une expérience de 15 ans en contentieux et en droit de la construction. Anne-Sophie intervient dans le cadre de marchés publics et privés de construction et industriels, en France et à l'international. Son expertise couvre la négociation de contrats, la gestion contractuelle de projets complexes, la résolution de litiges par conciliation, médiation, devant des comités

de résolution des différends, mais également les juridictions françaises ou par voie d'arbitrage interne ou international. Anne-Sophie est classée par Legal 500 EMEA parmi les « Grands Avocats du Marché » dans le domaine de la construction en France. Elle est Co-Présidente de l'association Society of Construction Law (SCL) France.

***Anne-Sophie Goapper** is a Partner at Aliénor Avocats, a French boutique law firm specialising in Construction Law. She is a dual-qualified lawyer (French avocat/ English solicitor) with 15 years' experience in litigation and construction law. Anne-Sophie's practice focuses on major construction and industrial public and private contracts in France and abroad. Her expertise covers negotiation of contracts, contract management of complex projects, dispute resolution through conciliation, mediation, before dispute boards as well as French Courts or international and domestic arbitration. Anne-Sophie is ranked by Legal 500 EMEA amongst the "Leading Individuals" in the Construction field in France. She is Co-President of the Society of Construction Law (SCL) France.*