



Fondation
Hanns
Seidel



كرسي الألكسو
للتحكيم التجاري الدولي



**The Arab league of educational, cultural and scientific
organisation**

University Tunis el Manar

The faculty of law and political science,

The ALECSO chair for international commercial arbitration.

Organized With the support of

Hanns seidel Foundation

The international Forum in Tunis

**The 30s years of the tunisien arbitration code : The Guiding
Principles of the International commercial Arbitration : The
variability in constancy ?**

26 and 27 april 2023.

Mouradi Ghammarth hotel.

Scientific director : Professor Najet BRAHMI-ZOUAOUI

Organizing committee : Me Hanène TURKI and Me Neila BARKALLAH-BOUGHAMMOURA

With the collaboration of the students and researchers:

Fatma TLILI, Oumaima HAMRAOUI, Houcem AHMED

Professors from tunisian universities :

-Pr. Mohamed Kamel CHARFEDDINE ; Professor Emeritus at the faculty of law and political science of Tunis.

-Pr. Nadhir BEN AMMOU, Professor Emeritus at the faculty of law and political science of Tunis.

-Pr. Nouredine GARA, Professor Emeritus at the faculty of law and political science of Tunis.

-Pr. Lotfi CHEDLY, Professor at the Faculty of legal and social sciences of Tunis.

-Pr. Najet BRAHMI-ZOUAOUI, Professor at the Faculty of law and political science of Tunis, University of Tunis el Manar.

-Pr. Sami JERBI, Professor Emeritus at the faculty of law and political science of Tunis.

-Pr. Bisma ARFAOUI, Senior lecturer at I.H.E.C University of Carthage.

-Mr Moncef KCHAOU : Chairman of the court of cassation.

--Mr Hatem Mziou, President of the bar association of Tunis.

-Mr Issam YAHYAOUI : Magistrate.

Foreign Invited experts and Professors :

-Pr. Eric LOQUIN, Franche-Comté University.

-Pr. Philippe DELEBECQUE : University of Paris 1 Panthéon-Sorbonne.

-Pr. Ahmed MAHIOU, University of Alger.

-Pr Denis MOURALIS : University of Aix-Marseille.

-Mr. Philippe LE BOULANGER, lawyer at the Paris Bar, international Arbitrator.

-Pr. Filali OSMAN, University of Franche-Comté, CRFJC.

-Dr Gaston KENFACK DOUAJNI : President of the 49th session of the United Nations commission on international commercial arbitration

-Dr Ilène CHOUKRI, Senior lecturer at the University of Paris2 Assas-Panthéon, lawyer at the Paris Bar.

- Pr. Ramses AKONO ADAM, University of Ngaoundere, Cameroun.

-Mr. Arnau TUIG-TIEMBLO, Secretary General of the international Arbitration Chamber of Paris.

-Me Sylvie BEBOHI, lawyer at the Paris Bar.

Leaders :

-Pr. Ahmed MAHIOU, University of Alger

-Pr. Sami BOSTANGI, University of Tunis El Manar

-Pr Hatem ROUATBI, University of Tunis El Manar

-Pr. Abdelwaheb REBAI, University of Carthage.

Moderated by :

-Pr. Ahmed MAHIOU, Alger University.

Detailed Program:

Wednesday, 26 april 2023

8 :30 Registration and Welcome Refreshments.

9 :30-10 :00 : inaugural session :Welcoming Remarks:

-Mme Najet BRAHMI -ZOUAOUI, Scientific Director of the Forum and Head of the Alecso Chair for the International Commercial Arbitration.

-Pr. Mustapha BELTAIEF, Provost of the Faculty of law and political science of Tunis.

-Pr. Moez CHAFRA, President of the University of Tunis El Manar.

-His Excellency Mr Mohamed OUELD OMAR, Director General of the Arab League Educational, Cultural and Scientific Organisation (ALECSO).

- Mr Moncef KCHAOU : Chairman of the court of cassation.

-Mr Hatem Mziou, President of the bar association of Tunis.

-Me UTA STASCHEWSK, Deputy Regional Representative of Hans Seidel Foundation.

Working session1 : The freedom: whose boundaries ?

Leader : Mr le Professeur Ahmed MAHIOU

10 :00-10 :20 :Introductory report, Pr. Nouredine GARA, Professor Emeritus at the faculty of law and political science of Tunis.

10 :20-10h40 : The usefulness of the amiable composition, Pr Eric LOQUIN, Professor at the faculty of law of Dijon.

10h40-11h : The freedom of the contract in international commercial arbitration and especially within the Maritime Arbitration, Pr Philippe DELEBEQUE, Pr. Philippe DELEBECQUE : University of Paris 1 Panthéon-Sorbonne.

11h-11h20 : coffee Break.

2nd working session : The confidentiality of the arbitration: Where we are ?

Leader : Professor Sami BOSTANGI :

11:20-11:40 :Is international arbitration confidential ? Pr Denis MOURALIS, University of Aix-Marseille.

11 :40-12:00 : The arbitration confidentiality within tunisien arbitral practices Mr Moncef KCHAOU, Chairman of the court of cassation.

12:00-12 :20 :The confidentiality in arbitration, Mr Issam YAHYAOU, Magistrate and President of the commercial chamber of the court of the first instance in Tunis.

12:20-12:40 : Confidentiality, transparency and technological tools within international arbitration :breaking off or lend confidence? Maitre Ilène CHOUKRI, Senior lecturer at the University of Paris2 Assas-Panthéon, lawyer at the Paris Bar.

12:40-13:00 Debate.

13:00 lunch Break.

Tuesday 27th april 2023

Working session1 : The equality of treatment of the parties in international arbitration.

Leader: Professor Hatem ROUATBI

9:00-9 :20 : The right of defense and the international commercial arbitration, Pr Mohamed Kamel CHARFEDDINE, Professor Emeritus at the faculty of law and political science of Tunis.

9 :20-9 :40 : criminal proceedings precedences over the arbitral proceedings ? Pr Nadhir BEN AMMOU, Professor Emeritus at the faculty of law and political science of Tunis.

9 :40-10 :00 :Duty of disclosure of the arbitrator in OHADA , Ramses AKONO ADAM, Professor at University of Ngaoundere, Cameroun.

10 :00-10 :20 : Debate

10 :20-10 :40 : coffee Break.

2nd working session : The efficiency of arbitration : time, cost and practices

Leader : Professor Ahmed MAHIOU

10:40-11 :00 : The fast track arbitration dispute resolution : The contribution to promote the AMDR in corporate arbitration, Pr Filali OSMAN, Professor at University of Franche-Comté, CRFJC et Mr Arnau PUIG-TIEMBLO, Secrétaire général de la chambre arbitrale internationale de Paris.

11 :00-11 :20 : Efficiency and competence in international arbitration : the paradox of the arbitration code, Pr. Lotfi CHEDLY, Professor at the Faculty of legal and social sciences of Tunis.

11 :20-11 :40 : The Fraudulent Arbitration, Pr Sami JERBI, Professor Emeritus at the faculty of law and political science of Tunis.

11:40-12 :00 : The evolution of the french law of arbitration within the field of the public order supervision, Me Philippe LE BOULANGER, lawyer at the Paris Bar, international Arbitrator.

12 :00-12 :20 :The efficiency of the OHADA Arbitration, Me Sylvie BEBOHY, lawyer at the Paris Bar.

12 :20-12 :40 : Debates moderated by Professor Ahmed MAHIOU.

12 :40-14 :00 : Lunch break.

3rd working session :The propotionality serving efficiency?

Leader : Professor Abdelwaheb REBAI

14.00-14 :20 : The propotionality applied to the international arbitration :across the eddies ?,Madam Besma Arfaoui, Senior lecturer at I.H.E.C University of Carthage.

14 :20-14 :40 : The propotionality in OHADA Arbitration, Gaston KENFACK DOUAJNI, President of the 49th session of the United Nations commission on international commercial arbitration

14 :40h-15 :00 :Concluding remarks, Pr Najet BRAHMI-ZOUAOUI, Professor at the Faculty of law and political science of Tunis, University of Tunis el Manar.

15 :00 : Formal ceremony.



