



CARTAL
Centre for Advanced Research &
Training in Arbitration Law

8th CARTAL Conference on International Arbitration, 2024

“Arbitration Horizons: Evolution, Challenges, and
Strategies in a Dynamic World”

(February 24-25, 2024)

Organised by

Centre for Advanced Research and Training in Arbitration Law,
National Law University, Jodhpur



About Us



National Law University, Jodhpur [“**University**”] is a premier law university in India that endeavours to develop legal professional skills par excellence. The University has excelled in traditional legal education and inculcates an innovative hands-on approach to the study of emerging legal fields. The University enjoys an unparalleled reputation for its excellent hospitality and management capabilities and is fully equipped with the requisite facilities required for the organisation of such events.

The Indian Journal of Arbitration Law [“**IJAL**”] strives to combine theoretical aspects of arbitration with their practical relevance. This is achieved by including contributions from individuals with varied expertise in arbitration, whilst giving due importance to the work of academicians and students, who contribute innovative academic research. The journal endeavours to cover a wide range of contemporary issues in the field of arbitration. While the “Indian” in the name of the journal indicates the source of publication, the journal itself has consistently focused on topics of global interest and relevance. The journal has also had theme-specific issues in the past, to explore the developments in particular areas in depth.

The Centre for Advanced Research and Training in Arbitration Law [“**CARTAL**”] has been set up by the University to promote research and scholarship in the field of arbitration. CARTAL is headed by its Executive Director, Dr. Rosmy Joan. Its Board of Advisors includes some of the most pre-eminent personalities in the field of arbitration such as Prof. Gary B. Born, Mr. Alexis Moure, Mr. Fali S. Nariman, Prof. Loukas Mistelis, Prof. W. Michael Reisman, Prof. Lakshmi Jambholkar, Mr. Promod Nair, and Prof. Gabrielle Kaufmann-Kohler. CARTAL comprises of a dedicated body of faculty members and students, who are responsible for organisation of the events hosted by the Centre. The University and CARTAL regularly organise guest lectures, courses and, conferences on topical issues in arbitration. For more information, click [here](#).

CARTAL

*Centre for Advanced Research &
Training in Arbitration Law*

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Prof. (Dr.) Harpreet Kaur

Heralded as an embodiment of scholarly excellence and visionary guidance, Prof. (Dr.) Harpreet Kaur, the Honourable Vice Chancellor, stands as a beacon of academic distinction and a true advocate for legal education. Ongoing inspiration and elevation are found by the legal community and the institution under her leadership through her multifaceted contributions to the field of law and her persistent pursuit of knowledge.

Inspiration is provided to law students to push the boundaries of legal knowledge and scholarship through her illustrious academic pursuit, encompassing M.Sc., LL.B., LL.M. in Commercial Laws, and an LL.D. in Company Law.

The boundaries of various legal domains, including Company Law, Securities Regulations, Competition Law, and Comparative Private Law, are transcended by the expertise of Prof. (Dr.) Harpreet Kaur. In the course of her extensive teaching experience, positions at NLU Delhi and the University of Bergen, Norway have been held by her. Furthermore, through contribution in the form of publications, legal literature has been significantly influenced by her.

Moreover, in the relentless pursuit of excellence, Prof. (Dr.) Harpreet Kaur was appointed as a Fulbright Nehru Scholar at Emory Law School, Atlanta, USA, in 2021, and previously as a Fulbright Scholar in Residence at Miami Dade College, Miami, USA, in 2016, leading her to traverse various corners of the globe. Additionally, the role of Chair Professor of Indian Studies at Leibniz University, Germany, was undertaken by her, and in 2015, recognition was conferred upon her as a Fellow of the International Visitor Leadership Programme on Competition Law, sponsored by the US State Government.

PANEL I: NAVIGATING ARBITRATION IN INDIA: UNVEILING RISKS AND MITIGATION STRATEGIES

Arbitration is increasingly preferred in India for settling commercial disputes but faces challenges like judicial intervention, which prolong litigation and deter its selection as an arbitration venue. Amendments to the Indian Arbitration Act have added complexity, and judicial trends, such as the 'group of companies' doctrine, along with the inclination of Indian parties to seek arbitration outside India, threaten its status as a favoured destination. These issues highlight the need for a deeper examination of the arbitration landscape in India.

Sports arbitration has emerged as a pivotal arena for resolving disputes in the highly competitive and lucrative world of professional sports. This unique form of arbitration, often governed by bodies like the Court of Arbitration for Sport ["CAS"], addresses a myriad of issues ranging from contract disputes to doping allegations. The specificity and complexity of sports law require arbitrators to be not only legally proficient but also deeply familiar with the sports industry's nuances as decisions in sports arbitration can have far-reaching implications, for athletes and organisations.

The Panel will delve into the challenges and strategies for success in sports arbitration, examining key topics such as the enforceability & transparency of arbitral awards, the interplay between sports arbitration and public law, and the ethical considerations unique to this field. Moreover, it will explore how technological advancements and evolving societal norms are shaping the future of sports arbitration, ensuring fair play extends beyond the final whistle.

PANEL II : BEYOND THE FINAL WHISTLE: A PLAYBOOK FOR SPORTS ARBITRATION SUCCESS

Recent developments in commercial arbitration point towards a shift in the timing of applications and the choice of forums adopted by parties when seeking interim reliefs. In India, despite section 9(3) stipulating otherwise, parties may approach the court even after the tribunal's constitution, aligning with the precedent set in *Arcelor Mittal Nippon Steel India Ltd. v. Essar Bulk Terminal Ltd.*

Internationally, courts may intervene to grant interim reliefs, especially in cases of delays in the arbitral process. Parties might also opt to approach the court to enhance the efficacy of the interim measure as non-compliance with the court's order may lead to contempt proceedings. Thus, parties can strategically seek interim reliefs to fortify their positions. This panel aims to delve deeper into the strategic approaches employed by parties across jurisdictions while seeking interim reliefs, thereby shedding light on the evolving landscape of commercial arbitration practices.

**PANEL III:
STRATEGIC
APPROACHES TO
SECURING INTERIM
RELIEFS:
INTERPLAY
BETWEEN JUDICIAL
SYSTEM AND
ARBITRAL
TRIBUNAL**

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Shardul Amarchand
Mangaldas & Co, India



Mr. Adrian Cole
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Mediator and Adjudicator,
Adrian Cole FZ LLE,
Abu Dhabi



Dr. Gordon Blanke
Founding Partner,
Blanke Arbitration, Dubai



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Office, Africa



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Partner, Afridi & Angell,
Dubai



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AZB & Partners, India



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Partners, India



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Shardul Amarchand
Mangaldas & Co, India



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Washington, DC



Ms. Jelita Pandjaitan
Partner, Asia Head-Dispute
Resolution, Linklaters,
Singapore



Ms. Rebecca James
Managing Associate,
Linklaters, Singapore



Dr. Srikant Parthasarathy
Independent Arbitrator,
Chief Legal & Financial
Officer, Chakra Venture
Partners LLP, India



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Chance, Frankfurt



Ms. Shalaka Patil
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Trilegal, India

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International
Chamber
of Commerce



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Singapore



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Principal, Kobre & Kim
LLP, Hong Kong



Dr. Hamish Lal
Partner, Akin Gump
Strauss Hauer & Feld
LLP, London



Mr. Anish Wadia, C.Arb
Chartered Arbitrator,
Accredited Mediator &
Governing Council
Member, Hyderabad
Arbitration Centre,
India



Ms. Ila Kapoor
Partner, Shardul
Amarchand Mangaldas
& Co., New Delhi



Mr. Maanas Jain
Senior Associate,
Three
Crowns LLP, London



Mr. Apoorva Patel
Vice President,
Burford
Capital, Washington,
D.C.



Dr. Sara Hourani
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Mr. Peter Morton
Partner, K&L
Gates,
London



Prof. Dr. Catherine
Rogers
Founder and CEO,
Arbitrator
Intelligence



Mr. Santiago
Rodríguez
Associate, Uria
Menéndez Abogados,
S.L.P., Madrid



Ms. Shwetha
Bidhuri
Head (South Asia),
Singapore
International
Arbitration Centre



Ms. Katie Chung
Partner, Norton
Rose
Fulbright (Asia)
LLP,
Singapore



Ms. Shilpa Mankar
Alhuwalia
Partner, Shardul
Amarchand Mangaldas
& Co., New Delhi

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Foreign Legal
Consultant, Clifford
Chance, Hong Kong



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Distinguished ADR
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Residence,
Fordham University
School of Law



Prof. Dr. Jacomijn van
Haersolte-van Hof
Director General,
London Court of
International
Arbitration



Mr. David Gaukrodger
Senior Legal Advisor,
OECD Investment
Division



Mr. Paul Eric Mason
International
Counsel,
Arbitrator and
Mediator



Ms. Marily Paralika
Partner, Head of
International
Arbitration
Practice, Fieldfisher,
Paris



Dr. Catharine Titi
Research
Associate
Professor, CNRS-
CERSA, University
Paris



Prof. Katia Fach Gómez
Tenured Lecturer,
University of Zaragoza,
Spain



Ms. Mélanie van
Leeuwen
Partner, Derains &
Gharavi, Paris
&
Vice-President, ICC
Commission on
International Arbitration



Dr. Prabhash Ranjan
Senior Assistant
Professor, Faculty of
Law, South Asian
University, New Delhi



Prof. Robert G.
Volterra
Partner, Volterra
Fietta,
London



Ms. Kristin Campbell-
Wilson
Deputy Secretary
General,
Stockholm Chamber of
Commerce



Ms. Sherina Petit
Partner,
Norton Rose Fulbright,
London

Glimpses from the 7th CARTAL Conference

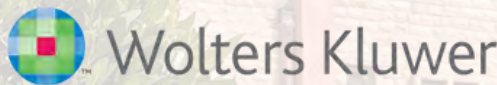
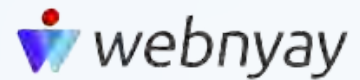


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Visting Jodhpur

Jodhpur is nestled at the edge of the Thar Desert, boasting of magnificent Rajput palaces, interspersed with the quaint homes of the 'blue city'. As a culturally diverse and rapidly evolving city, Jodhpur presents an array of opportunities, housing seven of India's top universities, including the Indian Institute of Technology, All India Institute of Medical Sciences, as well as our National Law University.

Amidst engaging legal discussions, we encourage you to seize a moment and unravel the rich tapestry of Jodhpur's culture. This city, bathed in the golden hues of the Rajasthan sun, unfolds a narrative steeped in history, with landmarks like the imposing Mehrangarh Fort, the ethereal Jaswant Thada, and the opulent Umaid Bhawan Palace standing testament to a bygone era. Beyond the conference halls, Jodhpur beckons with a promise of unforgettable experiences, inviting you to wander through the vibrant Sardar Market, where the Clock Tower presides over a bustling array of textiles, handicrafts, and spices.

Indulge your senses in the delectable offerings of Jodhpur's culinary landscape, where each bite tells a tale of tradition and flavour. From the renowned Chattubuj Gulab Jamun, a sweet delicacy, to the zesty Pyaz Ki Kachori and the refreshing Makhaniya Lassi, the city's gastronomic repertoire is a journey in itself.

The juxtaposition of intellectual engagement and cultural exploration makes Jodhpur a unique and enriching destination, promising an immersive blend of tradition, history, and contemporary vibrancy for all who grace its sunlit streets.

Other potential avenues for exploration:

- **Cuisine:** Try the lip-smacking spicy Mirchi Bada, a popular snack featuring deep-fried green chilies stuffed with masala or the traditional delight, Dal Baati Churma, a dish comprising of lentils, baked wheat balls and sweetened crumbled wheat.
- **Handicrafts:** Purchase traditional Rajasthani handicrafts, including pottery, puppets, and wooden artifacts.
- **Spices:** Take home a taste of Rajasthan with locally sourced spices, such as cumin, coriander, and cardamom.
- **Textiles:** Explore the local markets and invest in intricately designed textiles such as embroidered fabrics and traditional garments such as the Bandhani sprees, which are unique for their tie-and-dye patterns.
- **Jewellery:** Adorn yourself with exquisite Rajasthani jewellery, featuring intricate designs and vibrant gemstones.

Contact Details

Dr. Rosmy Joan

Executive Director, CARTAL
Faculty Advisor, IJAL
rosmy.joan@nlujodhpur.ac.in
+91-9783384532

Rahul Lal

Organising Head
Convenor, CARTAL & Editor-in-
Chief, IJAL
rahul.lal@nlujodhpur.ac.in
+91-9820726957

Navya Bhandari

Organising Head
Convenor, CARTAL & Editor-in-
Chief, IJAL
navya.bhandari@nlujodhpur.ac.in
+91-8209543035

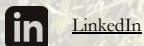
Rajiv Yadav

Joint Organising Secretary
Senior Advisor, IJAL
rajiv.yadav@nlujodhpur.ac.in

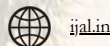
Raunak Rai Maini

Joint Organising Secretary
Executive Editor, IJAL
raunakrai.maini@nlujodhpur.ac.in

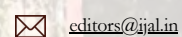
For any inquiries, kindly contact us at cartal.conference@nlujodhpur.ac.in



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[ijal.in](#)



editors@ijal.in