



**ILS Centre for Arbitration (ILSCA)
In Association With
Peace Keeping & Conflict Resolution Team (PACT)
20th-23rd January 2018**

*Workshop on “Domestic & International
Arbitration and Principles of Mediation”*

Venue – ILS Library (1st Floor), ILS Law College

Reporting Time – 11.45 a.m.

DAY 1 - 20th January, 2018 (Domestic Arbitration)

Resource Person – Mr. Sahil Kanuga, Advocate, Co-head, Commercial Disputes
Practice, Nishith Desai Associates

SESSION	TIME	DETAILS
Session 1	12:00 p.m. - 1:00 p.m.	Basic Principles of Domestic Arbitration
	1:00 p.m. - 2:00 p.m.	Lunch
Session 2	2:00 p.m. – 3:30 p.m.	Validity of excepted matters and exclusion clauses
	3:30 p.m. - 3:45 p.m.	Tea + biscuits
Session 3	3:45 p.m. - 5:15 p.m.	Impact of the 2015 Amendment and Sri Krishna Committee Report on Statutory Arbitrations. Prospective applicability of Section 26 of the 2015 Amendment Act

DAY 2 - 21st January, 2018 (International Commercial Arbitration)

Resource Person – Advocate Tejas Karia, Partner Shardul Amarchand Mangaldas,
New Delhi

SESSION	TIME	DETAILS
Session 1	10:00 a.m. -12:00 p.m.	Basic Principles of International Commercial Arbitration
	12.00 p.m. - 1:00 p.m.	Lunch
Session 2	1.00 p.m. – 2:30 p.m.	Application of UNIDROIT Principles /International Conventions to International Commercial Arbitrations as Substantive Law Governing the Contract.
	2.30 p.m. - 3:00 p.m.	Tea + biscuits
Session 3	3.00 p.m. – 4.30 p.m.	Impact of the 2015 Amendment on International Commercial Arbitrations

DAY 3 - 22nd January, 2018 (Mediation)

SESSION	TIME	DETAILS	Method
Session 1	12:00 p.m. -1:30 p.m.	<p>Introduction to the Conflict: Nature and Responses</p> <ul style="list-style-type: none"> - What is conflict? - What are the kinds of conflict? <p>Recognizing a conflict to respond to it (and not react)</p> <p>Different ways of approaching Conflict</p> <ul style="list-style-type: none"> - Rights or Powers or Interests - Understanding the best approach to a conflict - What's make a dispute system suitable? - Difference between Litigation, ADR & CDR 	<p>Learning with exercises and discussion</p> <p>By Tom & Jonathan</p>
	1:30 p.m. - 2:15 p.m.	Lunch	

Session 2	2:15 p.m. – 3:15 p.m.	<p style="text-align: center;">Communication Techniques and Tools in Negotiation</p> <ul style="list-style-type: none"> - Active listening v passive listening - Communication tools in negotiation - Reflecting, paraphrasing, and questioning - Importance of verbal / non-verbal communication 	<p>Learning with exercises, and discussion</p> <p>By Catherine</p>
Session 3	3:15 p.m. - 4:15 p.m.	<p style="text-align: center;">Negotiation 101</p> <p>How does interest-based negotiation stand out from position-based bargaining</p> <p>Key elements of a successful negotiation</p> <p>Cross-cultural / gender / generational contexts in negotiation language</p>	<p>Learning with exercises and discussion</p> <p>By Pascal</p>
	4.15 p.m. – 4.30 p.m.	Tea + Biscuits	
Session 4	4.30 p.m. – 5.30 p.m.	<p style="text-align: center;">Real Life Role play I</p> <ul style="list-style-type: none"> - Group preparation - Negotiation in teams - Discussion of results and techniques - Analysis of challenges and suitable solutions - Feedback & debrief 	<p>Practical Simulation</p>
Session 5	5.30 p.m. – 6.30 p.m.	<p style="text-align: center;">Preparing for a Negotiation Session</p> <ul style="list-style-type: none"> - What goes into creating a negotiation strategy - Identifying BATNA/ WATNA - How much research is considered healthy? 	<p>Learning with exercises and discussion</p> <p>By Tom</p>

		<ul style="list-style-type: none"> - Importance of having multiple options to drive the negotiation to resolution 	
Session 6	6.30 p.m. – 7.30 p.m.	<p>GROUP ACTIVITY:</p> <ul style="list-style-type: none"> - Preparation of negotiation strategy - Group discussion & Demo - Feedback & Recap of Day One - Q & A 	Anchored by all four trainers

DAY 4 - 23rd January, 2017 (Mediation)

SESSION	TIME	DETAILS	Method
Session 7	12:00 p.m. -1:00 p.m.	<p>Dealing with Difficult Negotiators</p> <ul style="list-style-type: none"> - Identifying manipulative, stalling and coercive tactics and tackling them efficiently - How to get stubborn negotiators to look beyond their positions <p>Engaging appropriately with bullies and over-friendly negotiators</p>	<p>Learning with exercises and discussion</p> <p>By Pascal</p>
Session 8	1:00 p.m. - 2:00 p.m.	<p>Mediation 101: The basics and the process</p> <ul style="list-style-type: none"> - Expectations of a mediator as an anchor to a facilitated negotiation process - Skills & techniques needed to guide the process - The process in general – element of flexibility - Significance of Caucus – Signs of Impasse 	<p>Exercises & interactive session</p> <p>By Catherine & Jonathan</p>
	2:00 p.m. - 2:45 p.m.	Lunch Break	

Session 9	2:45 p.m. - 3:30 p.m.	Role of Lawyers in Mediation <ul style="list-style-type: none"> - Client consultation in pre-litigation stages - Pre and post-mediation decisions - Mediation agreements and enforcement - Different mediation models 	Exercises & interactive session By Jonathan
Session 10	3.30 p.m. – 4.30 p.m.	Real Life Role play II <ul style="list-style-type: none"> - Discussion of results and techniques - Analysis of challenges and suitable solutions - Feedback & debrief 	Practical Simulation
	4.30 p.m. – 4.45 p.m.	Tea and Snacks	
Session 11	4.45 p.m. – 5.45 p.m.	Mediator’s Role in Facilitating Conversation <ul style="list-style-type: none"> - Creating and maintaining an atmosphere of trust and control by setting guidelines - Making a strong opening statement - Importance of having an AGENDA - Chemistry between mediator, client, lawyer 	Exercises & interactive session By Tom
Session 12	5.45 p.m. – 6.45 p.m.	How to take away the best from a CDR session <ul style="list-style-type: none"> - Keys to a win-win conclusion - Importance of concluding positively - Why Info gathering is an important stage before Option Generation - How to manage the exchange of ideas and options – accepting, 	Exercises & interactive session By Catherine and Pascal

		rejecting and proposing options as solutions to the conflicting situation	
Session 13	6.45 p.m. – 7.45 p.m.	<p>Real Life Role play III</p> <ul style="list-style-type: none"> - Discussion of results and techniques - Analysis of challenges and suitable solutions - Feedback & debrief - FINAL DEBRIEF, EVALUATION, Q & A 	Practical Simulation