

The Center for Transnational Litigation, Arbitration, and Commercial Law at NYU School of Law has been established to advance the study and practice of international business transactions and the way to solve related disputes, either through litigation or arbitration. As commercial transactions become increasingly international, it is vital to the legal and business communities to understand and analyze the practices and legal principles that govern relationships between firms and between firms and consumers in the international arena. Subjects such as the appropriate degree of harmonization of domestic laws, sovereign and private lending to developing nations, choice of law in commercial transactions, the proper scope of international arbitration and litigation, and the role of private groups in promulgating principles that have international application will inevitably increase in importance in the immediate future, and both attorneys and their clients who are involved in projects that transcend national boundaries must have an increased understanding and appreciation of the implications of these areas.

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Arbitration, and Commercial Law**
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AUTONOMOUS V. DOMESTIC CONCEPTS IN THE NEW YORK CONVENTION

PROGRAM

MONDAY, MARCH 2

10:00–10:15 a.m.
Welcome Remarks
Franco Ferrari

10:15–11:00 a.m.
Introduction to the
New York Convention
as an Instrument of
International Law
August Reinisch

11:00–11:45 a.m.
Interpretation of the
New York Convention
Filip De Ly

12:00–12:45 p.m.
The Notion of
“Arbitral Award”
Burkhard Hess

12:45–1:30 p.m.
Validity Issues
Lord Lawrence Collins

3:00–3:45 p.m.
Matters “Capable of
Settlement by Arbitration”
Alan Rau

3:45–4:30 p.m.
Incapacity
Francesca Ragno

4:45–5:30 p.m.
The Procedure and
Composition of the
Arbitral Tribunal
Friedrich Rosenfeld

TUESDAY, MARCH 3

10:00–10:45 a.m.
Scope
Dennis Solomon

10:45–11:30 a.m.
Public Policy
Andrea Bonomi

11:45 a.m.–12:30 p.m.
The Procedure
for Enforcing an
Arbitral Award
George A. Bermann

12:30–1:15 p.m.
The Formal
Requirements for
Enforcing an
Arbitral Award
**Fabrizio Marongiu
Buonaiuti**

THE NEW YORK CONVENTION OF 1958

owes much of its success to being an international convention setting forth uniform rules. Its uniform enforcement regime not only lowers the parties' transaction costs of identifying under which circumstances an award will be recognized and enforced across jurisdictions; it also ensures that States cannot justify the failure to comply with their obligations under the New York Convention by reference to domestic law. Still, the courts of different contracting States apply the Convention differently. Oftentimes, this is due to the erroneous understanding of concepts employed by the drafters of the Convention. The papers presented at the conference examine whether given concepts must be interpreted autonomously rather than in light of domestic law, and, where this is the case, attempt to define these autonomous concepts. The papers will also examine which domestic law(s) apply, to the extent that recourse to domestic law(s) is required.

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CENTER FOR TRANSNATIONAL LITIGATION,
ARBITRATION AND COMMERCIAL LAW

MARCH 2–3, 2020

Furman Hall

Lester Pollack Colloquium