

# SCC/SAA Diploma Course for International Arbitrators

2–5 June 2024

## **Objective**

Every year Sweden and Stockholm host hundreds of international arbitrations as a hearing venue and as the legal seat. The SCC Arbitration Institute (SCC) and the Swedish Arbitration Association (SAA) (hereinafter “the organizers”) therefore has launched a training for international arbitrators who would like to gain knowledge in arbitrating disputes in Sweden.

The program includes 9 interactive modules led by leading Swedish arbitration specialists. The program is focused on key features and recent Swedish caselaw and is directed to the arbitral specialists with experience in international arbitration. Upon completion of the course, the participants will be awarded a SAA/SCC course diploma.

By the end of the course, you will learn how to conduct the procedure and to deal with specific procedural issues in compliance with the Swedish arbitration law and best practices. The syllabus covers, inter alia, an introduction into the regulatory framework, formal and subjective validity of the arbitration agreement, the doctrine of assertion, the SCC Rules and policies, the arbitrator’s powers to conduct the proceedings and to manage guerrilla tactics. All modules include group exercises aimed to develop your skills in managing each stage of the proceedings, such as oral and written communications with the parties and co-arbitrators, conduct of the hearing, writing of the award and managing the post-award developments.

## **The format, venue, and the fee**

The course consists of 9 modules, each including a lecture and a practical exercise or a plenary discussion. The course will start with an introduction dinner at the venue and will end with a diploma ceremony.

The course will be held in Thoresta Gård (<https://thoresta.se/thoresta-herrgard-english/>), a historical manor located 20 km from Stockholm in the beautiful natural surroundings on Lake Mälaren.

The fee is 35 000 SEK (ex. VAT) which includes the diploma course, accommodation in a single room at Thoresta Gård, full board, starting with joint dinner on 2/6 and ending with lunch on 5/6, and related social and networking activities.

## **Who is eligible and how to apply?**

Course Participants: 30 arbitration lawyers with experience of international arbitration. We expect that participants have at least 10 years of practice in dispute resolution and are non-Swedish lawyers admitted to the bar in one or several jurisdictions.

SAA and SCC select the participants after free examination if the course is oversubscribed. You are therefore asked to attach your CV in your application and in a personal letter justify why you should be accepted.

Please e-mail your application to [arbitration@sccarbitrationinstitute.com](mailto:arbitration@sccarbitrationinstitute.com)

The deadline for applying to the course is 10 March 2024.  
Early application is recommended.

By applying to the course, you accept the cancellation terms and conditions as stipulated below.

## **Payment and cancellation policy**

Following the confirmation of participation, the applicant will be requested to pay the tuition fee within one week from the date of issuance of the SCC: s invoice.

The organisers may in their discretion change the venue or cancel or postpone the training, informing the participants thereof once the decision on cancellation is taken. The application will be refunded in full if the course is cancelled by the organisers. In any case, the organisers shall not be liable for refunding the applicants' travel or other costs incurred as a result of such cancellation.

In case of cancellation by the applicant on or before 30 March 2024, the tuition fee is refunded less an administrative fee of 500 SEK. The applicant may transfer his/her participation to a colleague, subject to approval by the organizers.

In case of cancellation after 30 March 2024, the tuition fee is not refundable.

## **Data privacy policy**

Applicants' personal data will be processed in accordance with current legislation, and with reference to the General Data Protection Regulation[1], which entered into force on May 25, 2018.

For additional information please see SCC privacy policy <https://sccinstitute.com/about-the-scc/privacy-policy/>

## **COVID disclaimer**

The course participants and the tutors shall be present physically. All present are expected not to have any symptoms which might be attributed to an ongoing covid-19 infection. The organisers do not require testing or vaccination evidence to be presented to the participants but trust the participants' common sense.

The participants are recommended to acquire medical insurance covering the period of their stay in Sweden. The participation is at the participants' own risk. The organizers assume no liability for any loss, liability, damage, or expense suffered or incurred by any person in connection with the course.

## **Questions and information about the course**

For further information please send an e-mail to [arbitration@sccarbitrationinstitute.com](mailto:arbitration@sccarbitrationinstitute.com)

## **Tutors**

Charlotta Falkman, Robin Oldenstam, Ginta Ahrel, James Hope, Maria Nisell, Caroline Falconer, Patricia Shaughnessy, Johan Sidklev, Kristoffer Löf, Kaj Hobér, Crina Baltag, Johan Strömbäck, Madeleine Thörn, Magnus Eriksson, Sandra Kaznova, Daniel Vargö, Fanny Gleiss Wilborg.

# Course program

## 2 June 2024

From 15:00	Check in and accommodation in Thoresta Gård
18:00–19:00	Welcome cocktail
19:00–21:00	Welcome dinner and introduction to course, organizers and faculty

## 3 June 2024

09.00–09:30	Opening
	<i>Kaj Hobér</i> Fundamental principles of International Arbitration in Sweden, including brief historical background, overview of the regulatory framework and of the role of courts

### Module 1 The Arbitration Agreement

*Module leaders: Charlotta Falkman and James Hope*

09:30–10:30	The arbitration agreement
	Pre-arbitral procedures Formal and subjective validity, Applicable law, Party succession Doctrine of assertion Arbitrability
10:30–11:30	<b>Coffee break</b>
10:30–11:30	Group exercise: interpretation of arbitration agreement and handling of jurisdiction objections. Checklist for non-Swedish arbitrators

### Module 2 Appointment and challenge of arbitrators

11:30–12:30	<i>Module leaders: Patricia Shaughnessy and Crina Baltag</i>
	Mechanisms and policies for appointment of arbitrators Disclosure, challenge, and removal of arbitrators Interactive exercises Checklist for non-Swedish arbitrators
12:30–14:00	<b>Lunch</b>

**Module 3**      **Arbitral proceedings before the tribunal.**

*Module leaders: Robin Oldenstam and Kristoffer Löf*

14:00–15:30      **Part I: Arbitrator role, mandate, and management of the proceedings**

Identifying issues in dispute  
Requirements of due process  
Facilitating settlement  
Document disclosure  
Conduct of hearing

15:30–16:00      **Coffee break**

16:00 – 17:00      **Part II: Arbitral proceedings before the tribunal.**

Procedural management exercises  
Checklist for non-Swedish arbitrators

19:00      **Dinner**

20.00      **Cocktail party and networking at Loftet**

**4 June 2023**

**Module 4**      **Interim measures**

09:00–10:00      *Module leaders: Johan Sidklev, Sandra Kaznova*

Emergency arbitration  
Post-referral interim measures  
Judicial interim relief in support of arbitral proceedings  
Enforcement of interim measures  
Checklist for writing an emergency arbitration award

**Coffee break**

**Module 5**      **SCC Arbitration Rules**

*Module leader: Caroline Falconer*

10:30–11:30      Standard and Expedited Rules  
Arbitrator’s confirmation of acceptance  
SCC Platform and management of case files  
Determination of fees and costs  
Checklist for presentation of VAT in arbitral awards

11.30–11.45      **Coffee break**

**Module 6****EU Sanctions and arbitration**

*Module leader: Madeleine Thörn*

11:45–12:30

Overview of the EU sanctions against Russia  
Payments in the proceedings with sanctioned entities  
No claims provision  
Sanctions and enforcement

12:30–14:00

**Lunch**

**Module 7****Arbitral Award.**

*Module leaders: Fanny Gleiss, Daniel Vargö*

14:00–15:00

**Part I: Arbitral Award.**

Standard and burden of proof  
Which prayers can or cannot be granted under the Swedish law?  
When facing money laundering/compliance issues, to what extent should an arbitrator conduct an inquiry?

15:00–15:30

**Coffee break**

*Module leaders: Maria Nisell, Magnus Eriksson*

15:30–16:30

**Part II: Arbitral Award.**

Types of awards  
Formal requirements  
Arbitrators' deliberations and voting  
Dissenting opinions  
Costs submissions  
Allocation of costs  
Interests

18:00

Premium wine tasting at Thoresta veranda

19:00

**Dinner**

**5 June 2022**

**Module 8**

**09:00–10:15** Challenge of arbitral awards

*Module leaders: Ginta Ahrel and Johan Strömbäck*

Invalidity and challenge grounds  
Set aside procedure in Swedish courts  
Suits against arbitrators

**10:15–11:00** **Coffee/check out**

**11:00–12:00** Arbitration quiz and diploma ceremony

*Kristoffer Löf; Patricia Shaughnessy, Maria Nisell, Madeleine Thörn*

**12: 00–13:30** **Lunch**