



**Mr. Fatos Lazimi**  
Member of ICC Court of  
Arbitration (Albania)/ Partner



## INTERVIEW

### ICC Court of Arbitration Member A lifetime experience

**You have been appointed by the World Council as a member of the ICC Arbitration Court for two consecutive mandates. Your mandate comes to an end in June 2021. Can you take us through this journey?**

Being Member of ICC Court of Arbitration for almost 7 years now has been a great privilege and a real professional challenge. The ICC Secretariat assisting the ICC Court of Arbitration in its routine work is unique and unrivalled with other arbitration institution. It is not just a Guard for correct and rigorous implementation of the ICC Rules to ensure an efficient and expeditious legal process involving complex disputes with parties coming from a wide variety of legal backgrounds and cultures, but a truly International organization which radiates extremely high quality in arbitration awards rendered under its auspices, certainty in terms of enforcement and integrity in the eyes of international business.

**Can you share with us what the role of a member of ICC Arbitration Courts entails?**

Upon his or her nomination and subsequent appointment by ICC World Council, a Member of ICC Court of Arbitration should act independently from the local committee or groups in performing his or her duties. The ICC Court of Arbitration Member can play a key role either by actively participating in the Committee Session or Plenary Session to perform the assigned duties, which in essence are of administrative nature, like scrutinizing draft awards, determining arbitration related cost and seat of arbitration, making the appointment of Tribunal member or its President, addressing challenges against appointed arbitrators, approving the Terms of Reference, setting deadlines for Tribunal to issue their Final Awards, etc. One of the most important tasks for an ICC Court of Arbitration Member is the scrutiny of the final award. The ICC Court of Arbitration is the third layer of control or review in the process of draft awards scrutiny after the Team Counsel in charge, Managing Counsel, and Secretary General. These three layers scrutiny ensures quality and stability of the final award. This is the main reason as to why Final Awards issued under ICC enjoys great reputation, credibility and quasi-automatic enforcement all over world.

**Having a busy working schedule, was it difficult for you to commit to the ICC Court?**

It was difficult given my tight agenda. However, I had to comply with monthly thresh-hold attendance. I was willing to actively participate mainly in Plenary Sessions of the Court where most complex cases with predominately disputant State parties and delicate challenges

against arbitrators, as well those cases not resolved through the Committee sessions, are brought forward.

**Upon reflection, how do you think that this position has affected your career?**

In many ways, I would say, first of all, that it opened a new horizon and dimension in my profession as a lawyer and in arbitration domain to which I have dedicated myself for more than 15 years. I have become now part of a large network of professionals, distinguished lawyers and prominent, both former and present ICC Court of Arbitration Members with whom we nurture and foster our solid relations with a view to promoting ICC arbitration policies, philosophy and ideals locally and regionally.

**If you would have to describe your experience with one sentence, how would it be?**

An experience that one could feel and live only once in a lifetime.

**What are your comments about the amendments introduced to the New ICC Arbitration Rules?**

I think that the amendments that took effect as of January 2021 are a reflection to the new realities that arbitration practitioners, tribunals and users are touching upon all over the world.

As usual, the ICC is at forefront in its relentless efforts to bring international arbitration proceedings to a higher level and at the same time preserve their efficiency, integrity and transparency with eagerness.

**If you were to advise your client about choosing the ICC Arbitration Rules, what argument/s would you provide?**

The ICC Rules are the most adaptable and predictable Rules that a Client would be willing to use. It is not me, but a historical fact that, statistically speaking, testifies that ICC is the number one international arbitration institution in the world handling the largest pool of cases on an annual basis and this is attributable not only to the ICC Court of Arbitration's incredible high quality work, but also to the ICC Arbitration Rules, which have proven to be the most effective means that international business would be able to make use of.

**You have acted as a counsel in arbitration cases, if we were to look at arbitration as an arena, which are the main "weapons" that a lawyer should possess in order to win the case?**

Arbitration requires extensive experience in procedural orientation, specific encyclopedic knowledge in a specific industry concerning the disputes.

**How would you describe the evolution of arbitration in Albania and how do you see the future of it?**

The evolution of arbitration in Albania seems to be still a challenge. However, with the adoption of New Act in Arbitration, I believe that the arbitration seeds will be soughed with a view of serving predominantly the local business community needs and interests and why not, to project Albania as becoming an attractive place of arbitration to international business one day.

**What would be your piece of advice to the readers trying to make it big in the international arbitration and what books and reference material would you suggest them to read and refer to?**

As reference material, I would recommend "Fouchard Gaillard Goldman on International Commercial Arbitration" and from ICC sources in particular, the ICC commentaries and Notes to Tribunal and Parties.

To make it big in international arbitration, you need to dedicate yourself to understanding the philosophy of international arbitration, its dynamic practice and principles it it relies on.

*Disclaimer: The views and opinions expressed in this interview are solely personal statements of the author and do not necessarily reflect the stance of ICC Albania. All information posted is merely for educational and informational purposes.*