

# UKRAINIAN ARBITRATION FORUM 2020

**08:30–09:00** Registration. Morning Coffee

## SESSION 1

### ADR IN UKRAINE AND THE WORLD

Moderator: **Oleg MALINEVSKIY**, Partner, EQUITY

**09:00–10:15**

- **Iaroslav GREGIRCHAK**, Deputy Business Ombudsman of Ukraine
- **Mykola SELIVON**, President, ICAC Ukraine
- **Anna GUILLARD SAZHKO**, Associate, Shearman & Sterling
- **Sumru AKTER**, Legal Counsel, Omni Bridgeway
- **Ivan KASYNYUK**, Partner, AGA Partners
- **Olga SHENK**, Counsel, CMS Cameron McKenna Nabarro Olswang
- Backlash against international arbitration in the world
- Business Ombudsman Council as a mechanism of pre-trial resolution of malpractices at the part of public authorities
- Third-party funding in arbitration and ADR
- Arbitration in Ukraine – need for further reform
- Representation of Ukrainian clients: preferred platforms and rules
- Future for mediation

**10:15–10:30** Coffee break

## SESSION 2

### INVESTMENT ARBITRATION

Moderator: **Ivan VASHCHYNETS**, Partner, ARBITRADE Attorneys-at-law

**10:30–12:00**

- **Jaroslav KUDRNA**, Legal Advisor, Ministry of Finance of the Czech Republic
- **Anne-Karin NESDAM**, Specialist Counsel, dr. Juris, Wikborg Rein Advokatfirma AS
- **Iryna MOROZ**, Partner, AGA Partners
- **Oksana VARAKINA**, Counsel, EQUITY
- Ukraine-related investment arbitration: the past and the future
- Global trends in investment arbitration from the local perspective
- Claims of corruption in investment arbitration
- Can a state represent itself without counsel: foreign states' experience
- Prospects disputes concerning "green tariff"

**12:00–12:15** Coffee break

## SESSION 3

### PUBLIC DISPUTES

Moderator: **Olena OMELCHENKO**, Partner, Ilyashev & Partners

**12:15–13:30**

- **Elena ZASYPKINA**, Deputy Director of the Department for Domestic Producer Defense, Ministry of Economic Development, Trade and Agriculture of Ukraine
- **Vitaliy POGORETSKYI**, Counsel, Advisory Centre on WTO Law
- **Igor GOLCHENKO**, Chairman of Committee for Trade Policy, Domestic Market and Competition Protection, Federation of Employers of Ukraine
- WTO Arbitration: institutional capacity problems
- WTO Arbitration: silitra case
- Disputes resolution through bilateral trade agreements
- Protection of Ukraine's rights and interests within in trade and economic field the framework of the WTO and international agreements of Ukraine

**13:30–14:30** Lunch

## SESSION 4

## INDUSTRIAL ARBITRATION

Moderator: **Yulia ATAMANOVA**, Doctor of Law, Partner, Head of International Arbitration at LCF Law Group; Arbitrator of the ICAC; MCI Arb

<b>14:30–15:45</b>	<ul style="list-style-type: none"><li>• <b>Charles DEBATTISTA</b>, Barrister and Arbitrator, Head of 36 Stone</li><li>• <b>Marco POCCI</b>, Partner, Stephenson Harwood</li><li>• <b>Vsevolod VOLKOV</b>, Partner, EVERLEGAL</li><li>• <b>Roman PROTSYSHYN</b>, Attorney at Law, Ilyashev &amp; Partners</li><li>• <b>Natalia PYLYPTSEVA</b>, GAFTA Qualified Arbitrator; Deputy Director on Legal and Government Affairs, Bunge</li><li>• <b>Orest MATVIYCHUK</b>, Senior Associate, CMS Cameron McKenna Nabarro Olswang</li></ul>	<ul style="list-style-type: none"><li>• Ad hoc to institutional rules: a winding journey of ups and downs</li><li>• Maritime arbitration institutions</li><li>• Arbitration in the energy market. COVID-19 and force majeure position on international oil &amp; gas contracts</li><li>• Arbitration in banking sector</li><li>• Recent trends of arbitration in agricultural sector</li><li>• Opportunities for out-of-court resolution of commercial disputes</li><li>• Features of cross-border mediation</li></ul>
<b>15:45–16:15</b>	<b>Coffee break</b>	
<b>Q&amp;A WITH ARBITRATION INSTITUTIONS</b> Moderator: <b>Oksana VARAKINA</b> , Counsel, EQUITY		
<b>16:15–17:00</b>	<ul style="list-style-type: none"><li>• <b>Natalia PETRIK</b>, Legal Counsel, Arbitration Institute of the Stockholm Chamber of Commerce (SCC)</li><li>• <b>Byron PEREZ</b>, Counsel, Hong Kong International Arbitration Centre (HKIAC)</li><li>• <b>Ivana BLAGOJEVIĆ</b>, Deputy Legal Counsel, ICC International Court of Arbitration (ICC)</li><li>• <b>Olga KOSTYSHYNA</b>, Advisor to the ICAC President, ICAC Ukraine at the UCCI</li></ul>	<ul style="list-style-type: none"><li>• The main feature of the institution</li><li>• The cost of considering a dispute in an arbitration institution</li><li>• When is your institution chosen for dispute resolution?</li><li>• How has the approach to dispute resolution changed during the pandemic?</li><li>• What innovations has the arbitration institution introduced in the last six months?</li></ul>
<b>SESSION 5</b> <b>COMMERCIAL ARBITRATION</b> Moderator: <b>Eugene BLINOV</b> , Partner, Head of International Arbitration Practice, ETERNA LAW		
<b>17:00–18:15</b>	<ul style="list-style-type: none"><li>• <b>Yasin EKMEN</b>, Secretary General, Istanbul Arbitration Centre</li><li>• <b>Inna YEMELIANOVA</b>, Vice President, ICAC Ukraine at the UCCI</li><li>• <b>Prateek BAGARIA</b>, Partner, Singularity Legal</li><li>• <b>Volodymyr KUTSENKO</b>, Investigator, Business Ombudsman Council</li><li>• <b>Arsen MILIUTIN</b>, Director of the Debt Restructuring and Collection Department, Oschadbank</li></ul>	<ul style="list-style-type: none"><li>• Party appointed arbitrator: choose wisely</li><li>• Measures in support of arbitration: experience in Ukraine and abroad</li><li>• Parallel arbitration and criminal proceedings</li><li>• New Bankruptcy Code and arbitral awards</li><li>• Difficulties in the implementation of decisions of international arbitration courts in Ukraine</li><li>• Immunity of arbitrators</li><li>• Limit the disclosure of confidential information and parties</li></ul>
<b>18:15 –19:30</b>	<b>Cocktail Reception</b>	