

INTERNATIONAL COMMERCIAL ARBITRATION

Polish/Ukrainian Twin Conference

Lewiatan Court of Arbitration and Committee for ADR of Ukrainian Bar Association

26 April 2013

Institute for International Relations (Kyiv National Taras Shevchenko University)

PRELIMINARY PROGRAMME

09:30-10:00	Registration. Coffee	
10:00-10:30	<p>Conference Opening. Welcome addresses</p> <p>Jur Gruszczyński, Arbitrator at the Lewiatan Court of Arbitration, Attorney at Law at Jur Gruszczyński Law Office</p> <p>Beata Gessel-Kalinowska vel Kalisz, PhD, President of the Lewiatan Court of Arbitration, Managing Partner at GESSEL</p> <p>Irina Nazarova, Head of Committee for ADR of Ukrainian Bar Association, Managing Partner at ENGARDE</p> <p>Henryk Litwin, Ambassador Extraordinary and Plenipotentiary of the Republic of Poland to Ukraine</p>	
1 SESSION. GET TO KNOW ARBITRATION IN POLAND 10:30-12:10 Moderator - Przemysław P. Krzywosz , Partner at Przemyslaw P. Krzywosz Kancelaria Prawna		
10:30-10:50	<p>Introduction:</p> <p>Beata Gessel-Kalinowska vel Kalisz, PhD, President of the Lewiatan Court of Arbitration, Managing Partner at GESSEL</p>	
10:50-11:05	Krzysztof Stefanowicz , PhD, Vice President of the Lewiatan Court of Arbitration, Of Counsel at Stolarek & Grabalski	New institutions – flexibility, simplicity & efficiency in the new Lewiatan regulations
11:05-11:20	Małgorzata Podrecka , PhD, Vice President of the Lewiatan Court of Arbitration, Vice- President at CAN-PACK S.A	Emergency arbitrator and “simplified procedure”
11:20-11:50	<p>Comments:</p> <p>Paweł Lewandowski, Partner at Domański Zakrzewski Palinka: Interim measures in arbitration: court versus arbitration procedures pros & cons</p> <p>Pawlo Byelousov, Senior Associate at Vasil Kisił & Partners: Ukrainian litigator view</p> <p>Michał Jochemczak, Counsel at Salans: Polish litigator views, including costs management tools</p>	
11:50-12:10	Q&A	
12:10-13:00	Lunch	
2 SESSION. IS ARBITRAL PROCEDURE USER FRIENDLY ENOUGH? 13:00-14:30 Moderator - Jur Gruszczyński , Arbitrator at the Lewiatan Court of Arbitration, Jur Gruszczyński Law Office; Attorney at Law		
13:00-13:15	<p>Introduction:</p> <p>Andriy Dubetsky, Representative of Warsaw Stock Exchange Office in Kiev: Why Ukrainian companies look into Polish stock exchange listing options – prospects for growth and potential threats</p>	
13:15-13:30	Paweł Mazur , Partner at Wardyński i Wspólnicy	Arbitrability of corporate issues – Polish perspective
13:30-13:45	Olga Gurgula , Senior Associate at ENGARDE	Arbitrability of corporate issues – Ukrainian perspective

13:45-14:00	Katarzyna Michałowska , PhD, Of Counsel at SK&S LEGAL	What can one learn about arbitration from investment arbitration cases involving Central and Eastern European actors?
14:00-14:15	Comments: Yuliya Chernykh , Partner at Arbitrade: Main obstacles to efficient arbitration – Ukrainian view Marcin Olechowski , PhD, Partner at Sołtysiński Kawecki & Szlęzak: Cross – cultural traps in running efficient arbitration Darya Rigaud , Deputy Counsel at ICC - States and State entities in ICC Arbitrations in Eastern Europe, with reference to cases involving Poland & Ukraine	
14:15-14:30	Q&A	
14:30-15:00	Networking break	
3 SESSION. ENFORCEMENT OF ARBITRAL AWARDS – TIPS AND TRAPS 15:00-16:30 Moderator - Sergiy Gryshko , Senior Lawyer at CMS Cameron McKenna		
15:00-15:10	Przemysław P. Krzywosz , Partner at Przemysław P. Krzywosz Kancelaria Prawna	Asymmetric arbitration clauses in Poland
15:10-15:20	Dmytro Marchukov , Counsel at Egorov Puginsky Afanasiev and Partners	Asymmetric arbitration clauses – Ukrainian perspective
15:20-15:30	Henryk Gaertner , Partner at KKG	Enforcement regime in Poland & “public policy” interpretation and application
15:30-15:40	Oleksandr Vodyannikov , National Program Officer at OSCE	Enforcement regime in Ukraine & “public policy” interpretation and application
15:40-16:00	Comments (Enforcement forum shopping and NY Convention): Markiyan Kliuchkovskiy , Partner at Egorov Puginsky Afanasiev and Partners Paweł Pietkiewicz , Managing Partner at White & Case	
16:00-16:30	Q&A	
16:30-17:00	KEYNOTE SPEECH Małgorzata Surdek , Partner, Head of Dispute Resolution at CMS Cameron McKenna: Prospects of the arbitration – brave new world; new trends in international practice	
18:00-20:00	APRES–CONFERENCE WITH POLISH ACCENTS Polish Embassy in Ukraine (12 Jaroslaviv Val street, Kyiv)	