



**VERKHOVNA RADA OF
UKRAINE**

The Committee on Legal Policy and
Justice



**High Commercial Court of
Ukraine**



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Support to the implementation of the judicial reform in Ukraine

Expert discussion

Reforming arbitration institutions in Ukraine

PROGRAMME

23 January 2017, Kyiv

Venue of the event:

"Khreshchatyk Kyiv" hotel, Khreshchatyk Str., 14

This event is jointly organised by the Committee of the Verkhovna Rada of Ukraine on Legal Policies and Justice, High Commercial Court of Ukraine, Arbitration Chamber of Ukraine and the Council of Europe project "Support to the implementation of the judicial reform in Ukraine", which is funded by a contribution from the Government of the United Kingdom of Great Britain and Northern Ireland

Objectives of the event:

- to discuss various issues of functioning of internal and external arbitrage in Ukraine;
- to present a study prepared by the national project expert on improving the functioning of arbitrage in Ukraine and to analyze the conclusions of the study;
- to compile recommendations concerning an improvement of the functioning of arbitration institutions in Ukraine.

Participants:

- members of the Parliament of Ukraine;
- judges of the Supreme Court of Ukraine, high specialized courts of Ukraine, local and appellate commercial courts;
- representatives of the Ministry of Justice of Ukraine;
- arbitrators of internal and external arbitration institutions, scholars;
- representatives and experts of the Council of Europe.

Themes for discussion:

- functioning of internal and external arbitrage in Ukraine;
- possible ways to improve the efficiency of arbitration institutions in Ukraine.

Expected results:

- the participants of the event identified main obstacles to effective functioning of arbitrage in Ukraine;
- recommendations on further steps for improving the functioning of arbitration institutions in Ukraine are drawn;
- based on the results of the discussion, the concept of reforming arbitration institutions in Ukraine is updated.

09.30

Welcoming coffee

10.00 – 10.20

Opening of the event

Ms Tetiana Drobotova, Judge of the High Commercial Court of Ukraine, Secretary of the judicial chamber

Mr Mykola Selivon, Head of the International Commercial Arbitration Court and Maritime Arbitration Commission of Ukrainian Chamber of Commerce and Industry

Mr Taras Shepel, Head of Arbitration Chamber of Ukraine, Head of Arbitration Court of Ukrainian National Committee of the International Chamber of Commerce

Mr Andrii Kavakin, Manager of the Council of Europe Project “Support to the implementation of judicial reform in Ukraine”

10.20 – 11.50

Session I. Functioning of arbitration institutions in Europe and in Ukraine

Dr. Moritz Keller, counsel in the international arbitration practice, «Freshfields Bruckhaus Deringer LLP» (Vienna), expert in commercial and treaty arbitration proceedings, international expert of the Council of Europe

Main principles of ensuring effective functioning of internal and external arbitrage: practice of the Council of Europe member states

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Ms Natalia Kuznetsova, LL.D., Professor of the Civil Law Department of the Taras Shevchenko National University of Kyiv

Special features of functioning of international commercial arbitrage in Ukraine

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Ms Olena Perepelynska, Partner, Head of CIS Arbitration Practice at «Integrites» law firm, Fellow of the Chartered Institute of Arbitrators (FCIArb), President of Ukrainian Arbitration Association

International commercial arbitrage in Ukraine: possible aspects for improvement

Questions and answers

Moderator: Mr Eliseo Castineira, founder of international arbitration boutique law firm “Castineira” (Paris), expert in arbitration (arbitrator and counsel) and alternative dispute resolution, director of the French Association for Arbitration (AFA), international expert of the Council of Europe

11.50 – 12.10

Coffee break

12.10 – 13.40

Session II. Interaction between arbitration institutions and the judiciary

Mr Eliseo Castineira, founder of international arbitration boutique law firm “Castineira” (Paris), expert in arbitration (arbitrator and counsel) and alternative dispute resolution, director of the French Association for Arbitration (AFA), international expert of the Council of Europe

State court proceedings in connection with arbitration. Best European practices

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Mr Rupert D’Cruz, barrister, lawyer at the «Littleton» law firm, expert in commercial and chancery litigation and international arbitration, international expert of the Council of Europe

Enforcement of decisions of arbitration courts: general principles

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Ms Iryna Kondratova, judge of the High Commercial Court of Ukraine

Practice of commercial courts of Ukraine in connection with arbitration

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Ms Nataliya Morshchagina, Head of Odessa Commercial Court of Appeal, Head of Association of judges of commercial courts of Ukraine

Interaction between arbitration institutions and commercial courts: possible ways to improve national legislation and practice

Questions and answers

Moderator: Dr. Moritz Keller, counsel in the international arbitration practice, «Freshfields Bruckhaus Deringer LLP» (Vienna), expert in commercial and treaty arbitration proceedings, international expert of the Council of Europe

13.40 – 14.30

Lunch break

14.30 – 16.00

Session III. Reforming of arbitration institutions in Ukraine

Mr Taras Shepel, Head of Arbitration Chamber of Ukraine, Head of Arbitration Court of Ukrainian National Committee of the International Chamber of Commerce

Presentation of the concept on reform and development of arbitration institutions of Ukraine

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Ms Oksana Karel, senior lawyer at “Arzinger” law firm, Head of international judicial and arbitration disputes group, LL.M.

Perspectives of international commercial arbitrage in Ukraine in 2017

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Mr Mykola Selivon, Head of the International Commercial Arbitration Court and Maritime Arbitration Commission of Ukrainian Chamber of Commerce and Industry

Ukrainian model of arbitrage: possible ways of development and necessary changes

Questions and answers

Moderator: Mr Rupert D’Cruz, barrister, lawyer at the «Littleton» law firm, expert in commercial and chancery litigation and international arbitration, international expert of the Council of Europe

16.00 – 16.15

Summary of the discussion. Concluding remarks