

**To: Ukrainian Arbitration Association**  
**From: Olena Perepelynska**  
**Date: 30 October 2020**

### **Nomination**

I have the honour and pleasure to submit my nomination for re-election as the President of the Ukrainian Arbitration Association as described below.

### **Summary of my activities in UAA**

As one of the founding members of the UAA, member of two UAA Boards and second UAA President, I have been involved in almost all its activities since 2012. Throughout these eight years I have dedicated significant time and efforts to coordination and implementation of several initiatives of the UAA.

I am particularly proud that during my term as the UAA President the following project have been successfully implemented (of course, with the help of other UAA members, UAA Board and UAA Secretariat):

- **Project: UAA List of Arbitrators**

**Results:** in 2020 UAA has launched its database of arbitrators suitable to sit in Ukraine-related international arbitrations (e.g. involving Ukrainian party(ies), Ukrainian law, relating to the Ukrainian assets or businesses etc.) <http://arbitration.kiev.ua/en-US/Arbitrators.aspx>

I have already offered the UAA List of arbitrators to various international arbitration centres for the purposes of institution appointments. The list is also published on the UAA website with possibility to apply various search filters.

I sincerely hope that this will allow to enhance visibility of the Ukrainian arbitrators, irrespective of their inclusion into the lists of particular institutions, and to improve statistics of appointment of the Ukrainian arbitrators in the Ukraine-related international arbitrations. I think we still could do more to improve the current situation and I would be happy to continue contributing to this important initiative in the future.

- **Project: Improvement of Ukrainian arbitration legislation**

**Results:** since the end of 2017 you could find many of the UAA suggestions regarding **(i)** enforcement and setting aside of the arbitral awards in the restated Civil Procedure Code; **(ii)** arbitrability rules in the restated Commercial Procedure Code.

In the end of 2019 the UAA sent its proposals to the Commission on Legal Reform and hopefully they will be implemented during the next revision of the procedural and arbitration-related legislation of Ukraine. I dedicate a lot of time and efforts to this important initiative and would be happy to continue doing that.

<http://arbitration.kiev.ua/en-US/Arbitration-Association/Workgroups.aspx?ID=42>

- **Project: Improvement of the court practice**

**Results:** UAA submitted three Amicus Curiae Briefs in court cases, regarding the issues, which are of importance to the whole arbitration community of Ukraine

I am particularly proud that the parties in later, completely unrelated cases successfully referred to some of these Amicus Curiae Briefs as the confirmation of the best foreign courts' practices on resolving various arbitration-related issues, and most importantly, such references were well perceived by the Supreme Court judges.

Thus, these Amicus Curiae Briefs contributed to the formation of the pro-arbitration practice of state courts of Ukraine.

I am sure that UAA should further develop this important initiative.

<http://arbitration.kiev.ua/en-US/Arbitration-Association/Workgroups.aspx?ID=42>

- **Arbitration library of the UAA**

**Results:** UAA collected and offered to the public all the Ukrainian BITs and launched case digest section on its website.

- **BITs**\_– the UAA approached the Ministry of Foreign Affairs with the request to furnish information concerning the effectiveness of all bilateral treaties on promotion and mutual protection of investments, concluded by Ukraine, since there was a conflicting information concerning even the fact of conclusion or the fact/date of entry into force/of termination of some of the treaties (for example, with Italy, Romania, Serbia and Montenegro). The information received from the Ministry of Foreign Affairs is now published on the UAA website.

So, now the UAA website contains the most comprehensive and publicly accessible information about the BITs of Ukraine in all the official languages of the BITs.

- **Case Digest** – UAA launched subsection Case Digest - a base of Ukrainian courts' decisions on arbitration issues in the section "Library" on the UAA website.

- **Educational Projects**

The UAA held the Arbitration School on an annual basis.

In 2020 because of the COVID-19 situation this traditional initiative was cancelled. However, I do believe that such initiative is important for formation of future generation(s) of the arbitration practitioners in Ukraine and the school should be resumed, either in traditional offline, or new online format in 2021.

- **Plans for future**

It is my sincere belief that UAA plays and should continue playing central role in the development and promotion of arbitration in Ukraine and promotion of arbitrators, suitable to sit the in Ukraine-related cases. I also believe that Ukraine could become more arbitration-friendly jurisdiction through improvement of its arbitration legislation, court practice, education of different groups of Ukrainian lawyers, both for counsel's and arbitrators' work. I hope to contribute to and to lead further these activities as UAA President, if re-elected.

Sincerely,

**Olena Perepelynska**

Partner, Head of Arbitration Practice  
INTEGRITES