

## Programme of the UAA Arbitration Academy 2023-2024<sup>1</sup>

### Module I: Basic Course (online)

(19 October 2023-21 December 2023, Thursdays, 17:00-19:00 Kyiv time, if not indicated otherwise)

#### 19 Oct 2023 **Lecture 1: Introduction to Arbitration**

[Prof. Loukas Mistelis](#), Senior Partner at Clyde & Co, London; Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration and the Director of the School of International Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London

- definition and nature of arbitration
- historical development of arbitration
- arbitration vs. litigation
- arbitration vs. other ADR
- *ad hoc* arbitration vs. administered by institution
- commercial vs. treaty-based arbitration
- domestic vs. international arbitration
- industrial vs. specialised arbitration

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#### 26 Oct 2023 **Lecture 2: Arbitration Agreement: Nature, Form and Scope; Arbitrability**

[Prof. Felix Dasser](#), Senior Partner at Homburger AG, Switzerland; Adjunct professor at University of Zurich, Faculty of Law; President of the Swiss Arbitration Association

- positive and negative effects of arbitration agreement
- law applicable to arbitration agreement
- kompetenz-kompetenz
- pathological arbitration agreements
- place and language of arbitration, applicable law and other provisions
- arbitrability

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#### 02 Nov 2023 **Lecture 3: Arbitrators and Tribunal's Secretaries**

[Prof. Patricia Shaughnessy](#), fully tenured associate professor at Stockholm University, Law Department

- formation of arbitral tribunal
- independence and impartiality
- conflict of interests
- duties and powers of arbitrators
- challenging and replacing arbitrators
- liability of arbitrators
- role of secretaries
- remuneration of arbitrators and tribunal's secretaries

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<sup>1</sup> This is a preliminary programme. The organisers retain the right to amend the programme.

Members of the organization committee: Olena Perepelynska, Olexander Droug, Anna Guillard Sazhko, Oleksii Maslov and Serhii Uvarov; contact e-mail: [info@arbitration.kiev.ua](mailto:info@arbitration.kiev.ua)

**09 Nov 2023 Lecture 4: Arbitral Proceedings – Part 1 (Commencing and Managing Proceedings)**

**Prof. Christoph Muller**, *Professor in private law at University of Neuchâtel, Switzerland; Arbitrator; Vice-President of the Swiss Arbitration Association*

- types of proceedings (standard, expedited, emergency etc)
- law governing arbitral procedure and merits of dispute
- commencing arbitration
- stages of proceedings, bifurcation
- technics for efficient conduct of proceedings
- documents regarding conduct of proceedings (terms of reference, procedural order No. 1, procedural timetable)
- case management conferences

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**16 Nov 2023 Lecture 5: Arbitral Proceedings – Part 2 (Written Submissions and Evidence)**

**16:00-18:00 Kyiv time**

**Chiann Bao**, *Independent Arbitrator, Arbitration Chambers, Hong Kong/New York/London; former Secretary General of Hong Kong International Arbitration Center, Senior Vice Chair of the IBA's International Arbitration Committee, Vice-President of the ICC International Court of Arbitration*

- written submissions and written advocacy
- gathering evidence, burden of proof
- document production, Redfern Schedule, IBA Rules on Taking of Evidence
- documents, fact witnesses, experts, inspection

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**23 Nov 2023 Lecture 6: Arbitral Proceedings – Part 3 (Hearing)**

**Jason Fry KC**, *Global Head of the International Arbitration Group at Clifford Chance, former Secretary General of the ICC International Court of Arbitration and Director of ICC Dispute Resolution Services*

- hearings (remote, in-person, hybrid hearings etc) and preparing to them
- oral advocacy
- cross-examination of fact witnesses and experts, role of arbitral tribunal

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**30 Nov 2023 Lecture 7: Award and Post Award Proceedings**

**Philippe Pinsol**, *Head of international arbitration for continental Europe at Quinn Emanuel Urquhart & Sullivan; Arbitrator*

- awards
- correction of awards, additional awards
- setting aside
- recognition and enforcement, New York Convention

**07 Dec 2023    Lecture 8: State Courts' Assistance to Arbitration**

[Prof. Catherine A. Rogers](#), professor in international arbitration and professional ethics at Bocconi University, Milan, Italy and research professor at University of California Law, San Francisco, US

- interim measures (tribunal-ordered and court-ordered)
  - collection of evidence
  - enforcement of arbitration agreements
  - anti-suit injunctions
  - other functions in support of arbitration
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**14 Dec 2023    Lecture 9: Ethics and Professionalism in arbitration**

[Teresa Giovannini](#), Founding Partner and Senior Counsel at LALIVE

- ethical guidelines for arbitrators
  - IBA Guidelines on Party Representation in International Arbitration
  - confidentiality and privacy
  - cultural sensitivity, diversity and gender equality
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**21 Dec 2023    Round table: Career Development and Soft Skills**

[Jason Fry KC](#), Global Head of the International Arbitration Group at Clifford Chance, former Secretary General of the ICC International Court of Arbitration and Director of ICC Dispute Resolution Services

[Teresa Giovannini](#), Founding Partner and Senior Counsel at LALIVE

[Sara K. Aranjó](#), Partner, International Arbitration and Disputes Practice Leader - Middle East and Africa (MEA) at Morgan, Lewis & Bockius LLP, Dubai, member of the ICC International Court of Arbitration in Paris, of the Court of Arbitration of the Swiss Centre, of the Arbitration Court of the Saudi Centre for Commercial Arbitration, co-chair of the IBA Arab Regional Forum and the in-house counsel group of the IBA Arbitration Committee

[Prof. Loukas Mistelis](#), Senior Partner at Clyde & Co, London; Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration and the Director of the School of International Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London

[Prof. Catherine A. Rogers](#), professor in international arbitration and professional ethics at Bocconi University, Italy, with a dual appointment as Professor of Ethics, Regulation, and the Rule of Law at Queen Mary, University of London

## Module II: Special Courses / Masterclasses (online)

(09, 11, 16, 18, 23, 25 and 30 January 2024, 17:00-19:00 Kyiv time)

### 09 Jan 2024 **Lecture 1: Technology and Arbitration**

[Pfor. Dr. Maxi Scherer](#), special counsel at WilmerHale Litigation/Controversy Department, member of the Centre for Commercial Law Studies (CCLS) and School of International Arbitration at Queen Mary University of London (QMUL), General Editor of the *Kluwer Journal of International Arbitration*

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### 11 Jan 2024 **Lecture 2: Maritime and Commodities Arbitration**

[Charles Debattista](#), Barrister and Arbitrator, Joint Head, 36 Stone, Visiting Professor in the Faculty of Laws at University College London, author of "Bills of Lading in Commodity Trade" (Bloomsbury Professional; 4th edition (June 17, 2021))

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### 16 Jan 2024 **Lecture 3: Sports Arbitration**

[Giulio Palermo](#), Partner at Archipel, arbitrator of the Court of Arbitration for Sport, member of the Sport Resolutions' International Panel of Arbitrators and Mediators, UEFA Ethics and Disciplinary Inspector

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### 18 Jan 2024 **Lecture 4: Construction Arbitration**

[Sara K. Aranjó](#), Partner, International Arbitration and Disputes Practice Leader - Middle East and Africa (MEA) at Morgan, Lewis & Bockius LLP, Dubai, adjunct professor of law at the Université Paris II – Panthéon-Assas, member of the ICC International Court of Arbitration in Paris, of the Court of Arbitration of the Swiss Centre, of the Arbitration Court of the Saudi Centre for Commercial Arbitration, co-chair of the IBA Arab Regional Forum and the in-house counsel group of the IBA Arbitration Committee

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### 23 Jan 2024 **Lecture 5: Investment-Treaty Arbitration**

[Prof. Loukas Mistelis](#), Senior Partner at Clyde & Co, London; Clive M Schmitthoff Professor of Transnational Commercial Law and Arbitration and the Director of the School of International Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London

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### 25 Jan 2024 **Lecture 6: Third-Party Funding**

[Samaa A. Haridi](#), Partner at King&Spalding, Vice President of the ICC International Court of Arbitration, Senior Co-Chair of the Arbitration Committee of the International Bar Association, member of ICCA's Governing Board

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30 Jan 2024 **Lecture 7: Damages**

[Teresa Giovannini](#), *Founding Partner and Senior Counsel at LALIVE*

[Mark Kantor](#), *Arbitrator and Mediator, Adjunct Professor at the Georgetown University Law Center, Editor-in-Chief of Transnational Dispute Management, author of "Valuation for Arbitration: Compensation Standards, Valuations Methods and Expert Evidence" (Kluwer Law International 2008)*

**Supporting organisations:**



**Swiss Arbitration  
Association**

