

ICC LEX MERCATORIA

International Construction Disputes | International Arbitration | Trade Impediments



4th International Conference on International Sales Law and International Commercial Arbitration

Minsk, 27 November 2015

Organizers



General partner



Арбитражный Суд
БелТПП

КОНСУЛЬТАНТПЛЮС
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Programme

Moderator of the event:

Yan Funk, Professor, Doctor of Law, Chairman of the BelCCI International Court of Arbitration (Minsk, Belarus)

Opening

09:30–09:55 **Opening speeches and welcoming of the participants of the 4th ICC Lex Mercatoria International Moot Court Competition**

Welcome note speakers:

TBD, Representative of the Presidential Administration of Belarus (Minsk, Belarus)

TBD, Representative of the Ministry for Architecture and Construction of Belarus (Minsk, Belarus)

TBD, Representative of the Ministry for Justice of Belarus (Minsk, Belarus)

TBD, Representative of the Ministry for Foreign Affairs of Belarus (Minsk, Belarus)

Viktor Kamenkov, Professor, Doctor of Law, Honoured Lawyer of the Republic of Belarus, Chairman of the Belarusian Republican Union of Lawyers (Minsk, Belarus)

Crenguta Leaua, Vice-President of the ICC International Court of Arbitration, Managing Partner at Leaua & Asociatii (Bucharest, Romania)

Yan Funk, Professor, Doctor of Law, Chairman of the BelCCI International Court of Arbitration (Minsk, Belarus)

Alexander Korobeinikov, Associate at Baker & McKenzie (Almaty, Kazakhstan)

Plenary session

09:55–10:55 **Sanctions and international arbitration**

[Impact of sanctions on performance of contracts and arbitration](#) | [Practice of the ICC International Court of Arbitration](#)

Moderator:

Richard Kreindler, Partner at Cleary Gottlieb Steen & Hamilton (Frankfurt am Main, Germany)

Panelists:

Nada Sader, Partner at Derains & Gharavi International (Beirut, Lebanon)

Anna Kozmenko, Associate at Schellenberg Wittmer (Zurich, Switzerland)

Vilija Vaitkutė Pavan, Member of the ICC International Court of Arbitration, Partner at Valiunas Ellex (Vilnius, Lithuania)

Brooks Hickman, Consultant in the Anti-Corruption Division at OECD (Paris, France)

10:55–11:10 **Coffee break**

11:10–12:10 Construction in international trade and construction disputes

[FIDIC contracts as international construction standards](#) | [Distinguishing features of resolving international disputes arising from FIDIC contracts](#)

Moderator:

Michael Black QC, Barrister at XXIV Barristers' Chambers (London, UK)

Panelists:

Crenguta Leaua, Vice-President of the ICC International Court of Arbitration, Managing Partner at Leaua & Asociatii (Bucharest, Romania)

Simon Hughes QC, Barrister at Keating Chambers (London, UK)

Luka Kristovic Blazevic, Counsel at White & Case (Doha, Qatar)

Samuel Moss, Associate at Lalive (Geneva, Switzerland)

12:10–13:10 Lunch break

Working sessions *

Session 1: Arbitration

13:10–14:35 Roundtable discussion: selected issues on the independence of arbitrators

[Courts of arbitration within companies](#) | [Independence of arbitrators and duty of disclosure](#) | [Practice of national courts in relation to independence of arbitrators](#)

Moderator:

Tatiana Minaeva, Of Counsel at Jones Day (London, UK)

Panelists:

Olena Perepelynska, FCI Arb, Board member at the Ukrainian Arbitration Association, Partner and Head of International Arbitration for the CIS States at Integrites (Kiev, Ukraine)

Maria Gritsenko, Counsel at Bryan Cave (London, UK)

Ketevan Betaneli, Associate at Shearman & Sterling (Paris, France)

Michał Pochodyła, Counsel at GESSEL (Warsaw, Poland)

Rimantas Simaitis, Doctor of Law, Partner at Cobalt (Vilnius, Lithuania)

14:35–14:45 Break

* Working sessions 1 (in English) and 2 (in Russian) will be conducted in parallel; upon registration, only one session may be chosen and must be indicated to the organizers.



14:45–16:00 **Roundtable discussion: challenge of arbitrators in the ICC International Court of Arbitration**

Procedure and timelines for filing and deciding challenges | Impact of state courts on deciding the challenges | Practice of the ICC International Court of Arbitration

Moderator:

Dmitri Evseev, Partner at Arnold & Porter (London, UK)

Panelists:

Anna Crevon-Tarassova, Partner at Dentons (Paris, France)

Eva Kalnina, Senior Associate at Lévy Kaufmann-Kohler (Geneva, Switzerland)

Dalia Foigt-Norvaišienė, Doctor of Law, Counsel at Cobalt (Vilnius, Lithuania)

16:00–16:10 **Break**

16:10–17:50 **Roundtable discussion: soft law of contemporary arbitration**

Formation of arbitration soft law in the 21st century | Role of recommendatory instruments in international arbitration: procedural and substantive implications | A-national rules as the law applicable to international commercial contracts

Moderator:

Nina Vilkova, MCI Arb, Professor, Doctor of Law, Honoured Lawyer of the Russian Federation, Professor at the Russian Foreign Trade Academy, Member of the ICC Commission on Commercial Law and Practice, Listed arbitrator at the BelCCI International Court of Arbitration (Moscow, Russia)

Panelists:

Alexey Anischenko, Senior lecturer at the Belarusian State University, Listed arbitrator at the BelCCI International Court of Arbitration, Partner at Sorainen (Minsk, Belarus)

Igor Verkhovodko, Docent, Doctor of Law Candidate, Listed arbitrator at the BelCCI International Court of Arbitration, Senior Partner at Verkhovodko & Partners (Minsk, Belarus)

Inga Kačevska, MCI Arb, Docent at the University of Latvia, Doctor of Law, Lawyer (Riga, Latvia)

Alexander Korobeinikov, Associate at Baker & McKenzie (Almaty, Kazakhstan)

Alexandre Khrapoutski, MCI Arb, Senior lecturer at the Belarusian State University, Board member of the Russian Arbitration Association, Listed arbitrator at the BelCCI International Court of Arbitration, Partner at Sysouev Bondar Khrapoutski (Minsk, Belarus)

Session 2: Construction disputes

Moderator:

Yan Funk, Professor, Doctor of Law, Chairman of the BelCCI International Court of Arbitration (Minsk, Belarus)

- 13:10–13:25 Use of the FIDIC model construction contracts**
- Speaker:
TBD
- 13:25–13:35 Discussion**
- 13:35–14:00 Legal regulation of construction contracts in Russia, Belarus, Kazakhstan and Ukraine**
- Speaker:
Liliya Lisitsa, Senior lecturer at BIP — Institute of Law, Managing Partner at Law Office of Lisitsa Liliya (Minsk, Belarus)
- 14:00–14:10 Discussion**
- 14:10–14:25 Certification of construction organizations in Belarus**
- Speaker:
Andrey Ponasenko, Deputy Director at Belstroytsentr (Minsk, Belarus)
- 14:25–14:35 Discussion**
- 14:35–14:45 Break**
- 14:45–15:00 Practice of resolving disputes arising from construction contracts in the Economic Courts of Belarus**
- Speaker:
Tatyana Mikolenko, Judge at the Economic Court of the City of Minsk (Minsk, Belarus)
- 15:00–15:10 Discussion**
- 15:10–15:25 Practice of resolving disputes arising from construction contracts in the courts of Russia**
- Speaker:
Julia Popelysheva, Counsel at Clifford Chance (Moscow, Russia)
- 15:25–15:35 Discussion**
- 15:35–15:50 Practice of resolving disputes arising from construction contracts in the courts of Kazakhstan**
- Speaker:
Alexander Korobeinikov, Associate at Baker & McKenzie (Almaty, Kazakhstan)
- 15:50–16:00 Discussion**
- 16:00–16:10 Break**



16:10–16:25 Practice of resolving disputes arising from construction contracts in the courts of Ukraine

Speaker:

Oksana Karel, Associate in the International Litigation and Arbitration Group at Arzinger (Kiev, Ukraine)

16:25–16:35 Discussion

16:35–16:50 Practice of resolving disputes arising from construction contracts in the BelCCI International Court of Arbitration

Speaker:

Inna Pererva, Doctor of Law Candidate, Head of Information and Consultation Centre at the BelCCI International Court of Arbitration (Minsk, Belarus)

16:50–17:00 Discussion

17:00–17:15 Practice of arbitrating disputes arising from construction contracts in Russia

Speaker:

Maxim Kulkov, Managing Partner at Kulkov, Kolotilov & Partners (Moscow, Russia)

17:15–17:25 Discussion

17:25–17:40 Practice of resolving disputes arising from construction contracts in the ICC International Court of Arbitration

Speaker:

TBD

17:40–17:50 Discussion

Closing

17:50–18:00 Concluding remarks

Venue and registration

Event will take place at the business center Victoria, Congress Hall, pr-t Pobeditelei, 59, Minsk. Registration should be made by phone at +375 (17) 205-03-00. Event is free of charge. Organizers reserve the rights to make any necessary changes, including to the subjects of the presentations and the list of the speakers.

Information partners

