



ICC International Arbitration in Russia

Moscow – Friday, 5 December 2008

Ritz Carlton Hotel, 3 Tverskaya Street, Moscow (Russia)

International arbitration is increasingly attractive for Russian business, reflecting the current growth of the Russian economy. The conference will give the participants the opportunity to hear experts' analysis of the recent trends in international commercial arbitration and to gain a better understanding of arbitration practice in Russia.

ICC International Court of Arbitration®

The International Court of Arbitration® has a distinguished and long-standing history of international dispute resolution. In 2007 alone, it received almost 600 arbitration requests for arbitration from all over the world that involved 1611 parties, 11.4% of which came from Central and Eastern Europe.

ICC Dispute Resolution Services

ICC Dispute Resolution Services (ICC DRS) provide international business with a wide range of alternatives to court litigation, and runs one of the most respected and widely used courts of international arbitration.

ICC Russia

Russian national committee of the International Chamber of Commerce, the World business organization, was established in 2000. Among members of ICC Russia are the biggest Russian and International companies working on the Russian market, such as Basic Element, Sberbank, Vneshekonombank, VTB, Wimm-Bill-Dann, Ingosstrakh, Nestle, Raiffeisen Bank, etc. By becoming members of ICC Russia, companies join one of the most prominent business network organizations in the world.

9:00 – 9:30 Registration. Welcoming Coffee

9:30 – 10:00

Welcome and Introduction

- TATIANA MONAGHÀN, Secretary General, ICC Russia
- JASON FRY, Secretary General, ICC International Court of Arbitration
- ALEXANDER KOMAROV, Chairman of the ICC Russia Arbitration Commission, Member of PIDA, Global Arbitrator, Chairman of the International Commercial Arbitration Court of the Russian CCI

10:00 – 11:15

SESSION 1: Initiating the proceedings

This session will focus on crucial considerations to be taken into account when initiating arbitration proceedings. Particular emphasis will be given to proceedings involving multiple contracts and parties; the extension of the arbitration agreement to non-signatory parties; how arbitral tribunals decide on their jurisdiction; and the question of conservatory and interim measures.

Moderator:

- JASON FRY, Secretary General, ICC International Court of Arbitration

Time limit for presentation is 15 min

Features of arbitral proceedings involving multiple parties and contracts

- ERIC SCHWARTZ, Managing Partner, Dewey LeBoeuf, Paris

Jurisdiction of arbitral tribunals, principle of compétence/compétence

- GABRIELE CRESPI REGHIZZI, Italian Member, ICC International Court of Arbitration, Counsel, Lombardi Molinari e Associati Studio Legale, Milan

Applicable law in international arbitration

- VLADIMIR KHVALEI, Partner, Baker and McKenzie, Moscow

Interim measures in international arbitration

- DMITRY KUROCHKIN, Partner, Herbert Smith, Moscow

Questions and Answers

11:15 – 11:35 Break

11:35 – 13:30

SESSION 2: The Arbitral Tribunal and Procedure

Speakers will explain the various procedures for nominating and appointing arbitrators. This discussion will also address the standards for arbitrators' independence and the role and duty of arbitrators in conducting the proceedings; challenges to arbitrators and their renewal in the course of proceedings and allocation of costs between the parties in final awards. Particular emphasis will be given to how parties can most persuasively put forward their case before an arbitral tribunal, deal with documentary evidence, experts and witnesses and how parties and the tribunal can control the time and costs of the proceedings and best expedite it.

Moderator:

- NINA VILKOVA, Professor of private law at the Russian Academy of Foreign Trade, Member of the ICC International Court of Arbitration

Time limit for presentation is 15 min

Appointment of arbitrators and constitution of Arbitral Tribunals

- GALINA ZUKOVA, Counsel, ICC International Court of Arbitration

Independence and challenges of arbitrators

- ILYA NIKIFOROV, Egorov, Puginsky, Afanasiev and Partners, Managing Partner, St. Peterburg

The role and duties of arbitrators

- IVAN ZYKIN, Partner, Andrey Gorodissky and Partners, Moscow

Taking of evidence

- BRENDA D. HERRIGAN, Partner, Salans, Paris

Application of Lex Mercatoria in arbitration

- MAXIM KULKOV, Partner, Pepeliaev, Goltsblat and Partners, Moscow

Controlling time and costs in arbitration

- RICHARD CHLUP, Mannheimer Swartling, Moscow

Questions and Answers

13:30 – 14:30 Lunch

Afternoon

14:30 – 16:00

SESSION 3: Arbitral awards and their enforcement

In ICC arbitration, all awards must be scrutinized and approved by the ICC Court before they are notified to the parties. The ICC scrutiny process will be explained by the speakers. The discussion will also address the basics of enforcing awards pursuant to the New York Convention and the position of Russian courts in this regard.

Moderator:

- HIROSHI ODA, Professor at the University College London (UCL), Consultant, Herbert Smith, London, Member of the ICC International Court of Arbitration

Time limit for presentation is 15 min

Recognition and enforcement of arbitral awards by the Arbitrazh Courts

- ANTON IVANOV, Chairman of the Russian Supreme Arbitrazh Court

Making arbitral awards in ICC International Court of Arbitration, with particular emphasis on ICC cases involving Russian parties

- JASON FRY, Secretary General, ICC International Court of Arbitration

Enforcement of awards in Russia

- ALEXEI ZHILTSOV, Head of Comparative and Private International Law Department Private Law Research Center attached to the Office of the President of the Russian Federation
- BORIS KARABELNIKOV, Professor of Law at the Moscow School of Social and Economic Studies

Questions and Answers

16:00 – 16:30 Coffee Break

16:30 – 18:30

MOCK CASE – HEARING OF THE CASE

Mock Case Contributors:

Chairman of the Arbitration Tribunal

- JASON FRY, Secretary General, ICC International Court of Arbitration

Arbitrator appointed by Claimant

- BRENDA HARRIGAN, Partner, Salans, Paris

Arbitrator appointed by Respondent

- ERIC SCHWARTZ, Managing Partner, Dewey LeBoeuf, Paris

Counsel for the Claimant

- IVAN ZYKIN, Partner, Andrey Gorodissky and Partners, Moscow

Counsel for the Respondent

- PAULA HODGES, Partner, Herbert Smith, London

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