



11-16 January 2021

The Russian Arbitration Center Office,  
Moscow, Kadashevskaya embankment 14,  
bldg 3, 3<sup>rd</sup> floor

## Winter Academy on International Arbitration

# “BEYOND THE IMAGINABLE BORDERS: TRANSFORMATION OF ARBITRATION”

Program

### Media Partners



## General Courses with Case Studies

- **Arbitration Agreement and its Validity: Main Pitfalls for the Parties and Arbitrators** (4 h 30 min)

Andrey Panov

- **Choice of Law in Arbitration and its Implications** (4 h 30 min)

Daria Zhdan-Pushkina

## Special Courses

- **“Due Process Paranoia” in a Cross-Border Arbitration: A Duty to Render an Enforceable Award** (3 h)

Melissa Magliana

- **Confidentiality and Transparency. Digital Trust v. Cyber Risks** (3 h)

Luke Pardey

- **Fast Track Arbitrations: Due Process Considerations** (1 h 30 min)

Peter Pettibone

- **Construction and Oil & Gas Arbitration: Peculiarities and Practical Considerations** (1 h 30 min)

Anna Grischenkova

- **Rise of “Green Arbitration”: Climate Change and Renewable Energy Disputes** (1 h 30 min)

Wendy J. Miles

- **Tackling Cultural and Procedural Differences in a Globalized World** (1 h 30 min)

Laurence Ponty

- **Cross-examination in International Arbitration** (1 h 30 min)

Timothy G. Nelson

## Trainings

- **Advocacy Workshop: How to Prevail a Multibillion Case and Tackle Derailed Tactics of Your Opponents** (1 h 30 min)

Baiju Vasani

- **Expert Evidence and Damages Workshop: Should Artificial Intelligence Tools Be Used?** (1 h 30 min)

Michael Swainston QC

## Guest Lectures

- **The Quest for Efficiency in International Arbitration: Who Drives the Process?** (1 h 30 min)

Professor Loukas Mistelis, Queen Mary University of London

- **Limits to Party Autonomy in International Commercial Arbitration** (1 h 30 min)

Professor Franco Ferrari, NYU

## Speakers



**Andrey Panov**  
**Counsel, Allen & Overy (Moscow)**

Andrey Panov is a Counsel in Allen & Overy's Dispute Resolution practice based in Moscow.

He has over 12 years of experience representing his clients before Russian and foreign courts, as well as before international arbitral tribunals. Andrey has acted as lead counsel and conducted his own advocacy in numerous commercial, construction and in Russian Users' Council, and a co-chair of the LCIA Young International Arbitration Group (YIAG) and a member of the VIAC International Advisory Board. He is recognised in all major legal directories including Legal 500, Chambers and Partners, Who's Who Legal and the Best Lawyers.



**Daria Zhdan-Pushkina**  
**Redstone Chambers (Moscow)**

Daria Zhdan-Pushkina is a Partner at Redstone Chambers (Moscow).

Daria's main area of expertise is providing counselling on various issues of commercial law. Daria provides legal services on issues related to the turnover of real estate (buildings and land), the fulfillment of loan obligations, and enforcement of pledges. Daria also specializes in resolving commercial disputes and disputes with state authorities.

Daria is a Reporter at the Maritime Arbitration Commission at the Chamber of Commerce and Industry of the Russian Federation (MAC) and at the International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation (ICAC). Daria is also a member of the German Maritime Arbitration Association in Hamburg and a supporting member of the London Maritime Arbitrators' Association.



**Timothy G. Nelson**  
**Partner, Skadden, Arps, Slate, Meagher & Flom LLP (New York)**

Timothy G. Nelson, a New York partner of Skadden, Arps, Slate, Meagher & Flom LLP.

Mr. Nelson represents clients in U.S. courts and international arbitration (including before ICSID, AAA, ICC, HKIAC, LCIA, SIAC, the PCA and under UNCITRAL rules). His cases involve sectors such as oil and gas (upstream, midstream), nuclear, solar, mining, cement, finance, insurance, pharmaceuticals, telecommunications, retail, sports, motor racing and hotel/property investment.

He is widely published and quoted on matters of international law, cross-border disputes, space law, and international arbitration, and is the co-editor of *Take the Witness: Cross-Examination in International Arbitration*.



**Melissa Magliana**  
**Partner, Lalive (Zurich)**

Melissa Magliana is a Partner at LALIVE specializing in international commercial arbitration.

With experience in both common and civil law jurisdictions and holding legal degrees in US and Swiss law, she advises and represents clients in ad hoc and institutional arbitration proceedings under all major rules of arbitration. She also acts as sole arbitrator, co-arbitrator and as chair of arbitral tribunals and advises on other forms of dispute resolution and related proceedings, such as mediation and international legal assistance. Her expertise spans different sectors, including the construction, transportation, pharma and mining industries, with a particular focus on works contracts as well as shareholder, partnership and joint venture disputes arising in a post-M&A and construction projects context.

Melissa Magliana is a member of the Arbitration Court of the Swiss Chambers' Arbitration Institution and a member of the board of the Swiss Arbitration Association (ASA), for which she also acts as co-chair of the ASA Practice Building Seminar. She previously served as a co-chair of ASA below 40 and as a Steering Committee member of Young Arbitral Women Practitioners. She is a frequent speaker and publishes regularly on matters relating to international dispute resolution.

Melissa Magliana was the 2016 recipient of the ASA Prize for Advocacy in International Commercial Arbitration, awarded every two years to international arbitration counsel to recognize exceptional advocacy in international arbitration. She has also been recommended by several directories, including as a global leader in Arbitration by Who's Who Legal and a Rising Star in Commercial Arbitration by Legal Media Group.



**Luke Pardey**  
**Partner, CMS (London)**

Luke Pardey is a partner in the Dispute Resolution Team at CMS London.

He specialises in commercial disputes and has around 12 years' of experience acting for clients in contentious situations. An area where Luke has particular expertise is in dealing with disputes in the technology, media and telecommunications sectors, where his deep-seated market knowledge is prized by his loyal client base. Those clients includes global technology businesses, prominent broadcasters and media companies, FTSE100 corporations and other household names. He also has years of experience in acting for his clients in complex corporate, finance and banking, fraud and insolvency disputes.

Clients frequently instruct Luke on their most complex, highly-sensitive and business-critical commercial disputes. In part this is because of his focus on devising effective strategies to help clients achieve optimal outcomes and his ability successfully to weave those strategies into complex litigation and arbitration. Luke also regularly advises clients outside of formal litigation and arbitration procedures, helping them to understand their rights and risks and devise plans to resolve commercial disputes before they crystallise.



**Peter J. Pettibone**  
**Independent Arbitrator and Mediator (New York)**

Peter Pettibone is an independent arbitrator and mediator. He practiced law as a partner in Hogan Lovells and was the managing partner of its Moscow office from 2000 to 2010, where he handled some of the most significant projects in the region.

Peter is a Fellow of the Chartered Institute of Arbitrators (FCI Arb). He has arbitrated over 20 international commercial cases in Moscow, Kyiv, Stockholm and New York. He has served as tribunal chairperson, party-appointed arbitrator, sole arbitrator and emergency arbitrator. His casers have involved construction issues, supply agreements, shareholder agreements, franchise agreements, real estate disputes, finders fee agreements and pipeline tariffs. A third of his casers were conducted in Russian. Peter is trained in the technology to conduct virtual hearings.

Peter is a CEDR-accredited mediator. He is a Special Master at the Appellate Division of the New York State Supreme Court, First Department and is on the roster of mediators at the Commercial Division of the New York State Supreme Court. He has successfully mediated cases in both courts and has conducted virtual mediations.

Peter is a graduate of Princeton University (AB summa cum laude), the Harvard Law School (J.D.) and New York University Law School (LL. M).



**Anna Grischenkova**  
**Partner, KIAP (Moscow)**

Anna Grischenkova, LL.M. in US Law, MCIarb, is a Partner at KIAP, Attorneys at Law and Head of the International Commercial Arbitration practice. Having 16+ years of professional experience, Anna participated in 400+ legal proceedings, represented clients before Russian and international arbitral tribunals, acted as an expert in foreign jurisdictions. Included into panel of arbitrators in Hong Kong (HKIAC) and into list of arbitrators in Austria (VIAC), Kuala Lumpur (AIAC) and Russia (the Board Member of the Russian Arbitration Center). A Regional Representative of the Russian Federation in the IBA Litigation Committee. A Deputy Chairman of the ICC Russia Commission on Arbitration. A Regional Ambassador at HK45 - Hong Kong International Arbitration Centre's committee (HKIAC). Author of the book "Psychology and persuasion skills in dispute resolution". Comes highly recommended by all the international legal rankings, incl. Chambers Europe, Chambers Global, Legal 500 EMEA, Best Lawyers, WWL Arbitration Future Leaders, Pravo-300 and Kommersant.



**Wendy J. Miles**  
**Partner, Debevoise & Plimpton (London)**

Wendy J. Miles, QC is a partner in the firm's London office and a member of the International Dispute Resolution Group.

With over 20 years of experience, Ms. Miles has acted as counsel in arbitrations under all the major institutions, as well as ad hoc arbitrations and significant public international law cases. She has advised a wide range of multinationals, sovereign states and state entities in public and private international law and international dispute resolution, including commercial and investor state arbitration.

Ms. Miles represents clients across numerous sectors, including energy, climate change, natural resources, gaming, manufacturing, financial services, pharmaceutical, licensing, and infrastructure. She also regularly sits as arbitrator, including sole, co-arbitrator and chair for proceedings administered by most major arbitral institutions.

Ms. Miles is currently a Vice President of the ICC Court of Arbitration and member of the ICC Commission on Arbitration and ADR. She co-chaired the ICC Task Forces on Costs Allocation in Arbitration (report published 2017) and Climate Change Related Disputes (report published 2019). She also remains active on various other professional bodies including the IBA, ICCA, Stockholm Arbitration Association, Foundation for International Arbitration Advocacy and the gender diversity initiative Equal Representation in Arbitration Pledge ([www.arbitrationpledge.com](http://www.arbitrationpledge.com)). She regularly teaches and publishes.

Ms. Miles is admitted to practice in England & Wales, and New Zealand. She became Queen's Counsel in 2015.



**Laurence Ponty**  
**Counsel, Archipel (Geneva)**

Laurence Ponty is counsel at Archipel, a boutique international law firm with offices in Geneva and Paris. Laurence is qualified in France and England & Wales and is registered to practice in Geneva.

She has over 10 years' experience representing private and state-owned entities of the CIS and the EMEA regions in complex arbitration proceedings in the fields of energy, construction, real estate, engineering, telecommunications and services, under all major arbitration rules. She also has experience in cross-border litigation and enforcement proceedings and regularly sits as an arbitrator.

Laurence is an active member of numerous professional associations. She serves as a member of the Executive Committee of the Russian and CIS Arbitration Network (RCAN), and as chair of the Legal & Tax Chapter of the Joint Chamber of Commerce Switzerland-CIS countries (JCC).

Prior to joining Archipel, Laurence practiced international arbitration at Lalive in Geneva and worked as counsel at the London Court of International Arbitration (LCIA), where she administered over 150 arbitration proceedings, with a particular focus on Russia and CIS-related matters.



**Baiju Vasani**  
**Partner, Ivanyan & Partners (Moscow)**

Baiju Vasani is a Partner at Ivanyan & Partners (Moscow).

Prior to joining Ivanyan and Partners, Baiju was a partner with Jones Day in London and Washington DC and served as Adjunct Professor of Law at Georgetown University, USA.

For nearly 20 years, Baiju has focused exclusively on international arbitration matters. He has served as counsel and arbitrator (sole, wing, and chair) in international arbitrations involving ICSID, ICC, LCIA, ICDR, SIAC, HKIAC, UNCITRAL Rules, bilateral investment treaties (BITs), the Energy Charter Treaty, NAFTA, DR-CAFTA, and public international law. He has also advised states on the negotiation and drafting of investment treaties, and investors on the (re)structuring of their investments for maximum treaty protection consonant with tax and corporate governance strategies.

Baiju is a Senior Fellow of SOAS, University of London, a Fellow of the Chartered Institute of Arbitrators, and sits on the panel of several arbitral institutions, including ICSID.



**Michael Swainston**  
**QC, Brick Court Chambers (London)**

Michael Swainston QC has an extensive practice in inter-State litigation, international commercial litigation, international commercial arbitration and investment treaty cases.

He has particular experience in disputes connected with Russia and former CIS countries, and he acts for the Russian Federation in a range of International Courts and Tribunals. Michael has been in the leading cases in all of his specialisms, dealing with, for example:

- Jurisdiction of the English Commercial Court, the DIFC Courts and the European Court of Human Rights;
- Fraud – including frauds on banks, investors, the Lloyds' insurance and reinsurance markets and tax authorities;
- Forensic evidence, including ground-breaking techniques to show falsification of documents, video and audio material, etc.;
- Directors' duties; permissible takeover techniques and defences;
- The relationship between human rights law and international humanitarian law;
- Protection of anonymous witnesses in investment arbitration.
- Michael Swainston QC is recommended by both Legal 500 and Chambers & Partners.





**Professor Loukas Mistelis**  
**Queen Mary University of London (London)**

Loukas Mistelis is the 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. He joined Queen Mary University of London in 1998 and became a professor in 2005. He is co-ordinating the LLM specialisation in Comparative and International Dispute Resolution.

His substantial arbitration experience covers ad hoc and ICC, ICSID, LCIA, UNCITRAL, SCC, Swiss Chambers and Moscow cases. Subject matters included foreign direct investment, sales contracts, aviation, distribution agreements, counter-trade, construction and infra-structure projects, defence contracts, mining, administration of natural resources, mining, and oil and gas transactions.

In 2006 Professor Loukas Mistelis was listed as one of the “leading lights in international arbitration”, 45 under 45, amongst the top 15 highlighted members of the list, is listed on the Who’s Who Commercial Arbitration since 2007 and also a member of the ICSID Panel of Arbitrators as well as the recipient of the GAR Award for best arbitration lecture of 2013. He is also listed as one of the Thought Leaders in International Arbitration.



**Professor Franco Ferrari**  
**NYU (New York)**

Franco Ferrari is a professor of law at NYU, where he also acts as the Director of Center for Transnational Litigation, Arbitration, and Commercial Law. Before joining NYU, Professor Ferrari was professor of law at Verona University School of Law (2002-2016), Bologna University School of Law (1998-2002) and Tilburg University School of Law (1995-1998). From 1995-2000, he was a member of the Italian Delegation to various sessions of the United Nations Commission on International Trade Law (UNCITRAL). From 2000-2002, he served as Legal Officer at the UN Office of Legal Affairs, ITLD.

Professor Ferrari, a prolific author with more than 350 publications, also acts as arbitrator both in international commercial arbitrations and investment arbitrations.