

BUCHAREST ARBITRATION DAYS - 2021 | Towards a reform in arbitration - a particular view on construction disputes -- June 3rd and 4th

For many years, statistics have indicated that approximately 50% of the commercial arbitrations from Romania have derived from construction contracts, and a similar share exists also in other jurisdictions from Eastern Europe.

From another perspective, 2020 and the pandemic context could not but affect also international arbitration, which has switched to the online almost instantaneously, has digitalized and virtualized with astonishing speed.

The second BARD edition should have taken place in 2020, but it was, like many other similar events, cancelled. Very much like international arbitration, we have adapted to the unfriendly sanitary context, and this edition takes place as possible, namely fully online. Perhaps for this reason, but, certainly, also because we are hoping, like everybody, to go back, as quick as possible, to the good old times, that BARD 2021 will not focus on the issues of immediate impact of the pandemics on international arbitration. If it were not fully online, BARD 2021 would almost ignore the pandemics, because we are looking forward with hope, to the future of arbitration.

Thus, the keyword of BARD 2021 is reform. The general topic suggests that we are focusing on reforms, but it also gives the due importance to the construction area.

The keynote speech is an exceptional and highly topical one, as it will approach the much-talked-about and long-awaited ISDS reform. Further, an investment arbitration panel and 4 dedicated commercial arbitration panels will analyze hot issues, trends, news, reform and directions concerning infrastructure investment disputes, arbitrability, IBA 2020 revised rules on taking of evidence, as well as disclosure and conflict of interests.

Last but not least, a panel will analyze with endorsed speakers, from all possible angles, the specific problems of building a career in investment arbitration, with a special focus on job opportunities in this field.

AGENDA

June 3rd - 11:00 CET

Introductory note - Stefan Deaconu, President, The Court of International Commercial Arbitration Attached to the Chamber of Commerce and Industry of Romania

Keynote speaker - Ms. Anna Joubin-Bret, Secretary of the United Nations Commission on International Trade Law and Director ITLD/OLA

Theme: ISDS Reform

Panel 1: 12:30 CET – 13:45 CET

Theme: Infrastructure projects and investment arbitration

Moderator: Florian Nitu - Managing Partner, Popovici Nitu Stoica & Asociatii (Bucharest)

Panelists:

- **Sarah Vasani** - Partner, International Arbitration and Head of Investor State Disputes, Addleshaw Goddard (London);
- **Mercy McBrayer** - Research and Academic Affairs Manager, Chartered Institute of Arbitrators;
- **Emilie Gonin** - Barrister, Doughty Street Chambers (Paris);
- **Thomas Kendra** - Partner, International Arbitration Practice, Hogan Lovells (Paris);

Panel 2: 14:00 CET – 15:15 CET

Theme: Arbitrability – whereto?

Moderator: Cornel Popa - Partner, Tuca Zbarcea & Asociatii (Bucharest) **Panelists**

Panelists:

- **Julie Bedard** - Partner, International Litigation and Arbitration, Latin America, Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates (New York, Sao Paolo);
- **Prof. Dragos Sitaru** - Attorney at Law and Arbitrator, Dragos Sitaru & Asociatii (Bucharest);
- **Cristiana Irinel Stoica** - Founding Partner, Stoica & Asociatii (Bucharest);
- **Sami Tannous** - Partner, Disputes, litigation and arbitration, Global investigations, Freshfields Bruckhaus Deringer (Dubai).

Panel 3: 15:30 CET – 16:45 CET

Theme: IBA Rules on taking of evidence 2020 revised version – Anything missing?

Moderator: Sorina Olaru - Partner, NNDKP (Bucharest);

Panelists:

- **Evgeniya Rubinina** - Partner, Enyo Law (London);
- **Marily Paralika** - Partner, International Arbitration, Fieldfisher (Paris);

- **Hugh Carlson** - Managing Director, Three Crowns LLP (New York, Washington);
- **Prof. Ioan Schiau** - Managing Partner, Schiau, Prescure & Associates (Brasov).

June 4th - 11:00 CET

Panel 4: 11:00 CET – 12:15 CET

Theme: Disclosure and conflict of interest – next level

Moderator: Cosmin Vasile - Zamfirescu Racoti Vasile & Partners (Bucharest)

Panelists:

- **Jalal El Ahdab** - Partner Dispute Resolution Group, Bird & Bird (Paris);
- **Aisha Nadar** - Senior Consultant, Advokatfirman Runeland AB (Stockholm);
- **Michael McIlwrath** – Former In-house litigation counsel, General Electric and Vice President of Litigation at former GE subsidiary Baker Hughes (Florence);
- **Simon Greenberg** - Partner, International Arbitration Group, Clifford Chance (Paris);

Panel 5: 12:30 CET – 13:45 CET

Theme: If you can see it, you can be it: exploring 7 professional paths within international arbitration

Moderators: Alina Leoveanu - Senior Legal Consultant, Mayer Brown (Paris)

Ioana Knoll-Tudor - Partner, Jeantet (Budapest, Paris)

Panelists:

- **Elena Gutierrez Garcia de Cortazar** - Independent Arbitrator, Professor of Law, Former Secretary General of the Madrid Court of Arbitration (Paris);
- **Vincent Boca** - Senior Counsel, Profile Investment (Paris);
- **Cornel Marian** - Attorney-at-Law, US, Bombardier Transportation (Stockholm);
- **Jean-Rémi de Maistre** - CEO & Co-founder, Jus Mundi (Paris);
- **Rafal Morek** - Partner, DWF (Warsaw).

Location: online, virtual gathering

BARD 2021 is free of charge, however places are limited, so please book yours here:

<https://bucharestarbitrationdays.com/>

Our BARD mission would not have become reality without the contribution of our media partners: BizLawyer, Juridice, Universul Juridic.