

**INTERNATIONAL ARBITRATION FOR BUSINESS:
ENERGY AND INFRASTRUCTURE SECTORS UNCOVERED**

Bucharest, 21 February 2019

The Club Español del Arbitraje is an international non-governmental organization that is dedicated to the promotion of arbitration throughout the world. Currently, the Club has about 30 national chapters covering three continents (Europe, the Americas and Asia), all of which organize events dedicated to the promotion of international arbitration as a means of dispute settlement. You can find out more about the Club Español del Arbitraje here: <https://www.clubarbitraje.com/es>.

The launch event of the Club Español del Arbitraje, the Romanian Chapter, will be a conference addressing the arbitration of construction and energy disputes in Romania and/or involving Romanian parties. The event will be a half a day conference on 21 February 2019, at the Sheraton Bucharest Hotel. It will bring together senior arbitration practitioners who work in construction and energy disputes involving Romanian parties and projects in order to discuss some of the topical issues in these two fields. The conference will juxtapose a diversity of perspectives in order to encourage meaningful dialogue and debate.

The conference is structured into two panels, one focused on construction disputes and one focused on energy disputes. Each panel will include speakers who will bring a different perspective to the discussions (in house counsel, counsel, arbitrator, expert, arbitral institution and third-party funder).

The expected audience for the event is made up of legal counsel from energy and construction firms in the CEE region, counsel from relevant State entities in Romania, and lawyers from Romania and Europe involved in these types of disputes.



Structure of the Event

The timeline for the event is 13:30-20:00, on Thursday, 21 February 2019.

I. Registration: 13:30 – 14:00

II. Introduction from CEA Romania: 14:00-14:10 (Alexandru Stanescu, Ioana Knoll-Tudor)

III. Keynote address: 14:10-14:40 (Juan Fernández-Armesto, Armesto & Asociados Árbítrros)

IV. Short break: 14:40-14:50

V. Construction panel: 14:50-16:35 (Robert Wheal, White & Case, London; Niuscha Bassiri, Hanotiau & van den Berg; Giovanni di Folco, Techno Engineering & Associates; Alina Leoveanu, ICC; Iain McKenny, Profile Investment; Simone Arena, Pizzarotti; Patricia Shaughnessy, Stockholm University)

The speakers will address the following topics:

- State entities' capacity to enter into arbitration agreements seen from the perspective of public procurement laws in Romania;
- FIDIC arbitration in Romania and the interpretation of the parties' consent to arbitrate – the competent arbitral institution;
- Confidentiality, res judicata and privity concerns in construction arbitration (in an employer - contractor - sub-contractor setting) and strategic considerations;
- Recourse to the expert and/or the dispute adjudication board – a question of admissibility or jurisdiction? Practical implications and effects of the decision, including the question of the provisional enforcement of a decision by the DAB pending the tribunal's award on the merits;
- Challenges encountered when arbitrating with a State entity in Romania.

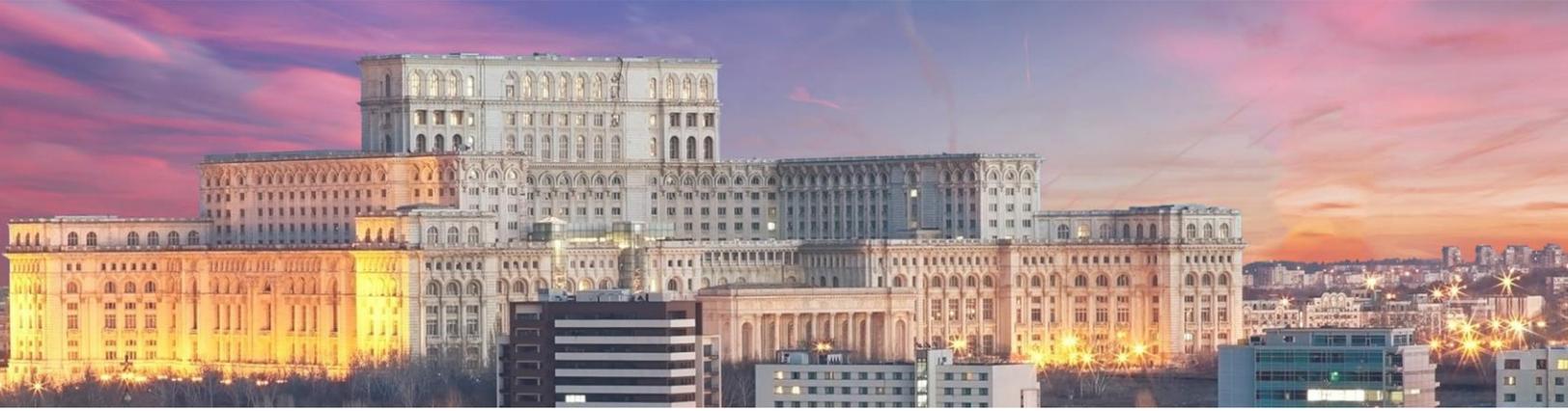


VI. Coffee break: 16:35-17:05

VII. Energy panel: 17:05-18:50 (Rafael Gil Nievas, CEPSA; Johannes Koepf, Baker Botts London; Sophie Nappert, 3VB; Richard Caldwell, The Brattle Group London; Iryna de Meyer, Energy Charter Treaty; Ayse Lowe, Benchwalk; Catherine Anne Kunz, Lalive)

The speakers will address the following topics:

- Counsel's and users' views with regard to the importance of international arbitration for their clients/companies: the importance of choosing the right legal seat; arbitration agreements in investment contracts or treaty arbitration? advantages and disadvantages of each
- which arbitral institution? what arbitral rules? is emergency arbitration a consideration? what about institutional costs, enforceability of other forms of interim relief?
- arbitrating energy disputes with a State entity or State body – practical issues and possible solutions
- evolution of M&A on the energy market – typical issues arising in M&A arbitrations in the energy sector
- specific issues arising at the stages of exploration, extraction, refinement and distribution process.



VIII. Closing remarks: 18:50-19:00 (Alexandru Stanescu, CEA Romania President)

IX. Networking and cocktails: 19:00-20:00

CONTACTS

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