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PERMANENT ARBITRATION COURT
AT THE CROATIAN CHAMBER OF ECONOMY



**CROATIAN
CHAMBER OF
ECONOMY**

30th Croatian Arbitration Days International Conference Zagreb, 8th – 9th December 2022

CONFERENCE PROGRAMME

Thursday, December 8, 2022

8:30 ~ 9:30 Registration

9:30 ~ 10:15 Welcoming Remarks and Opening of the Conference

Welcoming Remarks

- Dr. sc. Luka Burilović, President, Croatian Chamber of Economy
- Ivan Malenica, Minister of Justice and Public Administration, Government of the Republic of Croatia*
- Mr. sc. Radovan Dobronić, President, Supreme Court of the Republic of Croatia*

Thirty Years of the Croatian Arbitration Days

- Professor emeritus Dr. Mihajlo Dika, Honorary President, Permanent Court of Arbitration at the Croatian Chamber of Economy

Opening of the Conference

- Professor Dr. Hrvoje Sikirić, President, Permanent Court of Arbitration at the Croatian Chamber of Economy

10:15 ~ 11:00 Keynote Address

The Legitimacy of Arbitral Process

- **Teresa Giovannini, Lalive, Geneva**

11:00 ~ 11:30 Coffee Break

11:30 ~12:45 Panel 1. Adaptation of Contracts by Arbitrators – Comparative Perspective

The pandemic and current geopolitical developments have had a significant impact on global economies and financial markets. Rising prices, supply chain disruptions, shortages of materials have affected ongoing contractual relationships across sectors,

* To be confirmed.

heavily compromising regular contractual performance. In many legal systems, parties affected by a fundamental change of circumstances, may ask for an adaptation of the contract. This panel will discuss the legal requirements for adaptation of contracts from a comparative law perspective and, in particular, the role of arbitrators and their powers in the context of contract adaptation.

Moderator: Tamara Manasijević, ARP, Vienna

Speakers:

- Professor Dr. Rolf Trittman, Rothorn Legal, Frankfurt
- Karin Graf, Vischer AG, Zurich
- Dr. Heidrun Halbartschlager, Peters, Ortner & Partners, Vienna
- Professor Dr. Hrvoje Markovinović, Faculty of Law University of Zagreb, Zagreb

12:45 ~ 14:15 *Lunch Break*

14:15 ~ 15:30 Panel 2. The Future of Energy Disputes – Energy Transition and Treaty Commitments

The energy intensive industries in the EU face numerous and unprecedented challenges at present: supply chain challenges, high prices, energy transition challenges and fallout from EU sanctions against Russia and Belarus. This panel will discuss the types of energy disputes already on foot as well as discuss the types of disputes expected to be triggered. It will also discuss the recent developments concerning the modernisation of the Energy Charter Treaty and the future of investment treaty arbitration.

Moderator: James Hope, Vinge, Stockholm

Speakers:

- Ana Stanič, E&A Law Limited, London
- Professor Dr. Crina Baltag, Faculty of Law University of Stockholm, Stockholm
- Epaminontas Triantafilou, Quinn Emanuel, London
- Dr. Richard Happ, Luther, Frankfurt

Friday, December 9, 2022

9:30 ~ 11:00 Panel 3. Third Party Funding in Arbitration – Opportunities for Legal Finance in Croatia and the Region

The phenomenon of the third party funding applied in the field of international investment arbitration starts to be a hot issue in international commercial arbitration. The third party funding may have impact on the jurisdiction of the arbitral tribunal, the possibility to obtain security for costs, transparency and conflict of interests, and the determination of recoverable costs. The panel will give an overview of the third party funding in arbitration, by pointing out major problems and concerns and present this phenomenon from the perspective of its main stakeholders, i.e. arbitral tribunal, funder, and the parties. Furthermore the Croatian (regional) perspective will be presented.

Moderator: Professor Dr. Eduard Kunštek, Faculty of Law University of Rijeka, Rijeka

Speakers:

- Professor Dr. Catherine Rogers, Department of Law Universita Bocconi, Milan
- José Rosell, Independent Arbitrator, Paris

- Professor Dr. Christophe Seraglini, Freshfields Bruckhaus Deringer, Paris
- Andreas Jevtić, Nivalion AG (Austria), Vienna
- Jadranka Osrečak, State Attorney's Office of the Republic of Croatia, Zagreb

11:00~11:30 *Coffee Break*

11:30 ~ 12:45 Panel 4. Innovative Case Management Techniques in Arbitration

The panel will explore various procedural techniques available to the arbitral tribunal that are aimed at enhancing efficiency as a fundamental principle of the arbitral process and at streamlining the arbitral process. The techniques which will be discussed include early openings, mid-stream conferences, time-management techniques, mediation windows, and settlement facilitation. Many of them empower the arbitral tribunal to take more control over the proceedings in order to avoid unnecessary delays. However, the arbitral tribunal should throughout the whole arbitral process ensure that the parties' due process rights are respected.

Moderator: Professor Dr. Milena Đorđević, Faculty of Law University of Belgrade, Belgrade

Speakers:

- Iuliana Iancu, Hanatiau & van den Berg, Brussels
- Anne-Karin Grill, AKG Advisory, Vienna
- Gábor Damjanović, Forgó, Damjanović & Partners, Budapest
- Professor Dr. Alan Uzelac, Faculty of Law University of Zagreb, Zagreb

12:45 ~ 13:00 Closing of the Conference

- Professor Dr. Hrvoje Sikirić, President, Permanent Court of Arbitration at the Croatian Chamber of Economy