

# Eduardo Silva Romero

Eduardo Silva Romero is also Co-Chair of Dechert's International Arbitration global practice. He is a member of the ICC International Court of Arbitration and the Chair of the ICC Institute of World Business Law. He is also is Professor Emeritus at the University of Rosario's Law School in Bogotá. He teaches Investment Arbitration at Paris 2 (Panthéon-Assas) University, Investment Arbitration and International Contracts at the Paris Institute for Political Studies (Sciences Po), and French Arbitration Law at the University of Paris-Dauphine (Paris IX). He was Deputy Secretary General of the ICC International Court of Arbitration from 2000 to 2004, and Vice-Chair of the ICC Commission on Arbitration and ADR from 2007 to 2017.

## DAY 1

09:00

### Registration & Morning coffee

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10:00

10:00

### Opening & Welcome

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10:10

Beata Gessel-Kalinowska vel Kalisz, Conference Chair, GESSEL, Poland

Cezary Wiśniewski, ICC Poland, Linklaters, Poland

10:10

### ICC Court Welcome Address

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10:20

Alexander G. Fessas, ICC International Court of Arbitration, France

10:20

### Session I: Hot topics in M&A arbitration

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11:30

- Impact of impecunious party on arbitration agreement
- Post M&A ESG disputes - sources; is the arbitration a fitting forum?
- Interim relief around M&A: emergency arbitrators limiting state courts?
- W&I Insurance: procedural challenges in arbitration dealing with 'insurance towers'

#### Moderator:

Alicja Zielińska-Eisen, YAAF, Queritius, Poland/Germany

#### Panellists:

Christian Borris, Borris Hennecke Kneisel, Germany

Joanna Kisielińska-Garncarek, GESSEL, Poland

Joanna Kolber, Strelia, Belgium

11:30

## Howden M&A Case study

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11:50

Drew Naylor, Howden, United Kingdom

Edward Copeman, Howden, United Kingdom

11:50

## Session II: Dialogue between counsel on legal nature of M&A award

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13:00

- Price adjustment made by the tribunal
- Is the award declaratory or constitutive and what are its practical effects?
- Interests computation

**Moderator:**

Mary Mitsi, Queen Mary University of London, United Kingdom/Greece

13:00

## Lunch

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14:00

14:00

## Dentons M&A Case study

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14:20

Michał Jochemczak, Dentons, Poland

14:20

## Keynote speech: The paradigm of arbitration - yesterday, today and tomorrow - Yves Derains in conversation with Beata Gessel

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15:00

Yves Derains, Derains & Gharavi, France

15:00

## Session III: Voice of reason or hired gun? The independence and impartiality of party-appointed experts in M&A disputes

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16:10

- The difference between party-appointed and tribunal-appointed experts
- The role of geography
- The role of soft laws
- Expectations of the parties and the tribunal

**Moderator:**

Mark Kantor, , USA

**Panellists:**

Folashade Alli SAN, Folashade Alli and Associates, Nigeria

Luminita Popa, Suciu Popa, Romania

Alexander Demuth, , Germany

Renato Nazzini, King's Collage London, United Kingdom/Italy

16:10

**Treats & Meads**

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19:30

**Gala Dinner**

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Venue - Look Up! Skyliner building, 67 Prosta Street (upon separate registration)

**DAY 2**

09:00

**Morning coffee**

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10:00

10:00

**Opening & Welcome**

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10:05

Beata Gessel-Kalinowska vel Kalisz, Conference Chair, GESSEL, Poland

10:05

**Special Guest**

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10:35

**Special Guest's address: The Permanent Court of Arbitration: 125 years of Peace through Justice**

Marcin Czepelak, Permanent Court of Arbitration, Netherlands

10:35

**Presentation: M&A Arbitration in Wartime under the SCC Rules**

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10:55

Jake Lowther, SCC Arbitration Institute, Sweden

10:55

## Clifford Chance Case Study

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11:15

11:15

## Session: M&A Arbitration in Wartime - Breaking up is never easy

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12:45

- M&A disputes risks when exiting high-risk jurisdictions
- Case studies from jurisdictions in the Middle East, Eastern Europe and Africa

### Moderator:

Bartosz Krużewski, Clifford Chance, Poland

### Panellists:

Timur Bondaryev, Arzinger, Ukraine

Joshua Kelly, Freshfields Bruckhaus Deringer, United Kingdom/Australia

Steven Finizio, Wilmer Hale, United Kingdom/USA

12:45

## Closing of the conference

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12:55

Beata Gessel-Kalinowska vel Kalisz, Conference Chair, GESSEL, Poland

**...and yes, bubbles and strawberries!!**

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